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ΑΘΗΝΑΙΩΝ ΠΟΛΙΤΕΙΑ

ARISTOTLE

ON THE

CONSTITUTION OF ATHENS

EDITED BY

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PREFACE.

THE *Αθηναίων Πολιτεία*, now for the first time given to the world from the unique text in the British Museum Papyrus CXXXI., has been transcribed and edited by Mr. F. G. Kenyon, Assistant in this Department. Mr. Kenyon's transcript has been again collated with the original by Mr. G. F. Warner, Assistant-Keeper of MSS.; and the sheets have also been read by Mr. E. Maunde Thompson, the Principal Librarian, by Mr. Warner, and by myself.

An Autotype Facsimile of the whole of the text of the *Πολιτεία*, together with a specimen-plate of the writing on the *recto* of the papyrus, is published in a separate volume.

EDWARD SCOTT,
Keeper of MSS.

BRITISH MUSEUM,
31st December, 1890.

INTRODUCTION.

WHEN Neumann in 1827 edited the Fragments of the *Πολιτεῖα* of Aristotle he lamented, not unnaturally, 'cheu amissum est in sempiternum praeclarum opus, nisi e palimpsestis quibusdam fortasse eruatur.' The field which now shows the greatest promise of restoring to us some of the lost works of antiquity had then hardly been opened up at all, and there was little sign that Egypt might still return to the modern world some of the treasures which were committed to her by the ancient. Since that date discoveries of no little value have been made among the papyri which have from time to time been brought to Europe and are now preserved in the great libraries of England and the Continent. Several papyrus MSS. of parts of the Iliad, dating from the first century before the Christian era to the fourth or fifth after it, are now known to the world, which, though they have not affected the text of Homer in any appreciable degree, are yet of interest as carrying back the tradition of it for many centuries before the earliest MS. that was previously known. Fragments of Thucydides, Plato, Euripides, Isocrates, Demosthenes, and other classical authors have been discovered, which, while not of any great importance in themselves, were hopeful signs of the discoveries which might be expected in the future. More than this, there have been one or two finds of works hitherto completely lost, and these are of

course the great treasures of the papyrus literature. They include a mutilated fragment of Alcman, now at Paris (quoted in Mahaffy's *Greek Literature*, vol. I. p. 172), and several orations of Hyperides, all of which (with the exception of one lately reported by M. Revillout to be in the Bibliothèque Nationale of Paris) are preserved in the British Museum¹. The British Museum has now the satisfaction of publishing the latest and most important addition to the extant stock of classical Greek literature, the often-quoted but hitherto lost *Ἀθηναῖων Πολιτεῖα* of Aristotle.

None of the lost works of Aristotle is so much quoted by the writers of the early centuries of the Christian era as the *Πολιτεῖαι*, which, containing as it did a summary of the political constitutions of a hundred and fifty-eight states of all kinds, was a storehouse of historical information for subsequent ages. The portion relating to Athens, together with those relating to Corinth and Pellene, may possibly (though this is doubtful) have been in the library of Cicero (*ad Att.* II. 2); it is quoted by Plutarch in the first century of the Christian era; it was largely used by Pollux in the second; its name occurs in a catalogue of a library in the third (Zündel in *Rhein. Mus.* 1866, p. 432); in the fourth it is repeatedly cited by Harpocration; in the sixth we know, on the evidence of Photius, that it was used by the

¹ To the discoveries here mentioned should now be added the very interesting fragments of Plato and Euripides which have been found by Professors Sayce and Mahaffy among the papyri brought from Egypt by Mr. Flinders Petrie. Apart from the fact that they include a portion of the lost *Antiope* of Euripides, they are considerably the earliest classical MSS. at present known to us, dating (according to the Professors' letters in the *Academy* of Oct. 11th, and the *Athenaeum* of Oct. 25th and Dec. 6th, 1890) from the third century B.C. Further, the British Museum has recently acquired several classical papyri, among which, in addition to some interesting early fragments of Homer, Demosthenes, and Isocrates, is the conclusion of a speech which may perhaps be ascribed to Hyperides, and also several of the lost poems of the iambographer Herodas. These will be published shortly.

rhetorician Sopater¹. On the other hand Photius himself, three centuries afterwards, does not seem to have known the work otherwise than in quotations by earlier writers; and any references to it in grammarians and compilers of later date are probably made at second hand. Between the sixth and the ninth century it disappeared and was seen no more until in this nineteenth century it has once more been brought to light. The treatise on Athens was naturally the part which was of most interest to the scholars of the Greek world after the date of Aristotle, which was most frequently quoted in their works, and which was no doubt most frequently copied; and it is therefore not surprising that this, rather than any other portion of the work, should have been preserved from the library of an Egyptian scholar of one of the early centuries of the Christian era. Tastes will differ as to whether we could have wished some other lost work of Greek literature to have been returned to us rather than this. Some might have preferred an addition to our stock of poetry, in a new tragedy of Aeschylus or of Euripides, to have recovered another play of Aristophanes or to have broken fresh ground with a specimen of the New Comedy of Menander. Others might wish that, if the discovery were to be historical, it might be an Ephorus by which we might check the accuracy of Plutarch, or a Theopompus to throw light on the obscure details of the period of Alexander. But if it were to be an additional authority on the period which we already know comparatively well, but in which much still remains in obscurity and open to conjecture, no work could be named of equal value and authority with Aristotle's Constitutional History of Athens.

¹ Heitz and Rose believe all these quotations from Aristotle to be taken at second hand from the compilations of Didymus or other early writers, and that the work of Aristotle was lost at a very early date. As we now know that the latter was not the case, their arguments for the most part fall to the ground.

INTRODUCTION.

A short description of the MS. is necessary, in order to understand the state in which the text has come down to us. It is imperfect at the beginning; but this appears to be due to the first chapters never having been written (probably because the MS. from which this was copied was imperfect or illegible in that part), and not to the subsequent loss of any part of the papyrus; for a blank space has been left before the first column of writing, which was no doubt intended to receive the beginning of the work. The latter portion of the MS. has, however, suffered severely; but the fortunate fact that another document (of which more is said below) is written on the other side of the papyrus enables us to estimate with tolerable accuracy the extent of the mutilation. There are four separate lengths of papyrus, which probably were originally distinct rolls. The first of these is complete, or nearly so (the only doubt being as to whether a larger space was left blank to receive the commencement of the work than now remains), and measured, when acquired by the Museum, 7 ft. 2 $\frac{1}{2}$ in. in length. It has since been divided, for convenience of mounting, into two pieces measuring 4 ft. 2 $\frac{1}{2}$ in. and 3 ft. respectively. This roll contains eleven broad columns of writing; the later ones are in good condition, but the earlier ones are badly rubbed and often very difficult to decipher. The second roll measures 5 ft. 5 $\frac{1}{2}$ in., and contains thirteen much narrower columns, in fairly good condition throughout. The third measures 3 ft., and contains six broad columns, which have been put together from a large number of fragments; but one of these is very imperfect, and there are several other small lacunas in this part of the papyrus. The fourth roll is purely fragmentary; its original length may be estimated, partly by the help of the writing on the other side of the papyrus, at 3 ft., but no column except the last remains perfect, and the writing is miserably defaced and in many places quite

illegible¹. It is possible that the third and fourth lengths were formerly united in a single roll, which would have been of about the same size as the other two; but it is certain that they were originally written on separate pieces of papyrus, which must, on this supposition, have been artificially joined together. The height of the papyrus is throughout about 11 inches, except in the fourth roll, which is at present rather less than 10 in.; and this is another reason against supposing that it was ever attached to the third.

The text is written in four hands. The first is a small semi-cursive hand, employing a large number of abbreviations of common syllables, such as *την*, *της*, *περι*, *και* (see list at end of Introduction). The writing is not that of a professional scribe, but is on the whole very correct and easy to read wherever the papyrus has not been badly rubbed. This hand includes the first twelve columns², which vary in width from 4½ to 11 inches, and contain from forty-three to forty-eight lines of close writing. The second hand is uncial of fair size, written in a plain but not very graceful style, and with habitual mis-spellings and mistakes which show that the writer was not a scholar nor a well-educated person. Many of the mistakes are corrected in the first hand, which suggests that the writer of that hand was a scholar who desired a copy of Aristotle's work for his own library, while the writer of the second was a

¹ It should perhaps be added that, since the photographs of these fragments were taken (Plates 19 to 21 of the volume of facsimiles), it has been found possible to arrange them more accurately in order, owing to the fact that the writing on the other side of the papyrus is in better preservation; and one fragment (that in the top left-hand corner of Plate 19) has since found a place in another part of the papyrus.

² The sequence of these columns is broken after the middle of the tenth, by a column and a half of writing in the reverse direction, which had evidently been inscribed on the papyrus before the Aristotle, but was struck out when the sheet was required for the latter. The hand is not the same as that of the Aristotle, but is apparently of the same date. For a description of its contents see note on ch. 25.

slave or professional scribe employed by him to complete the transcript. Columns thirteen to twenty are written in this hand ; they are much narrower than the preceding columns, measuring only 3 to 4½ inches in breadth and containing forty-four to fifty-one lines. In the third hand are written half the twentieth column and columns twenty-one to twenty-four, together with the much damaged fragments of the concluding part of the MS. This hand is semi-cursive, but much larger and more straggling than the first hand. The fourth hand, in which are written the six columns of which the third roll consists, closely resembles the first, and employs many of the same abbreviations, but the strokes are somewhat finer and more upright and some of the letters are differently formed.

The condition of the writing varies considerably in different places. The earlier columns are badly rubbed, especially at the places where the roll was folded, and the writing is often either absolutely illegible or discernible only with great difficulty. In some cases, however, where the letters are not in themselves legible there are yet sufficient traces to verify or to condemn a conjectural restoration of the text. This is the case with many passages which have been restored in the printed text, and in some which still await conjectural emendation. Except in these earlier columns the writing is generally in fair condition. In the greater part of the MS. holes in the papyrus are rare ; but the six columns of the third roll have been put together, as has been already said, out of many different fragments, and large gaps still remain, in one place amounting to a considerable part of a column, in which case restoration is naturally for the most part impossible. The text, apart from difficulties of decipherment, is in good condition and requires little emendation, beyond the correction of the somewhat uncultured spelling of the second and third hands.

It remains to estimate the date of the MS. The palaeography of the first centuries of the Christian era is still so uncertain, owing to the want of dated materials, that it would be difficult to fix it with any accuracy by the writing alone. Fortunately there are other means at hand. The text of Aristotle is written on the reverse side¹ of the papyrus, and on the *recto* are accounts of receipts and expenditure which are dated in the eleventh year of Vespasian, of which a specimen is given with the facsimile of the Πολιτεῖα (Plate 22)². The dating of this document presents some points of interest. The heading at the beginning of it (which is to be found on the second of the pieces into which the first roll of papyrus is now divided, its text running in the contrary direction to that of the Aristotle) is as follows : Ετούς ενδεκατού αυτοκρατορος Καισαρος Ονεσπασιανον Σεβαστον αργυρικος λογος Επιμαχον Πολυδενκουν λημματων και ανηλωματων των δι εμου Διδυμου Ασπασιου χειριζομενων, ων ειναι λημμα του μηνος Σεβαστον. The names of the months for which the accounts are given succeed one another in the following order, Σεβαστον, Φαωφι, Νεον Σεβαστον, Χοιαχ, Τυβι, Μεχειρ, Φαμενωθ, Φαρμουθι, Παχων. The remarkable feature here is the occurrence of the names Σεβαστός and Νεὸς Σεβαστός in the place of Thouth and Athur respectively. The former does not seem to have been observed elsewhere in Egyptian documents ; but one of the Archduke Rainer's Papyri is dated μηνος Σεβαστον Αθυρ πεμπτη (Pap. No. 1717, cf. *Mittheilungen aus der Sammlung der Papyrus Erzherzog Rainer*, pt. II. p. 16, 1887). The name Σεβαστός is of course equivalent to August ; but it is noticeable that it was given in Egypt

¹ *I. e.* that side on which the fibres of the papyrus are laid perpendicularly (cf. Wilcken's article *Recto oder Verso*, in *Hermes*, Vol. XXII).

² The text of these accounts, which are those of the bailiff of a private estate, will be printed in the *Catalogue of Greek Papyri in the British Museum*, which is now passing through the press.

to the month Thouth, which began on Aug. 29th, rather than to Mesore, which occupied the greater part of the Roman month of August. Athur was no doubt re-named in honour of Vespasian, who was born in that month. As to the year named, Vespasian was proclaimed emperor at Alexandria in July, 69 A.D. The Egyptian year began with Thouth, and according to the usual mode of dating in that country his second year would be reckoned to begin with the Thouth next following his proclamation, *i.e.* at the end of August in the same year 69 A.D. His eleventh year would therefore be that which began in August of 78 A.D.; and in the following June he died. The entries of the present document extend to the preceding month, Pachon in the Egyptian calendar beginning on April 26th. The writing on the *recto* of the papyrus consequently belongs to 78-79 A.D.¹ We cannot tell how soon afterwards the *verso* was used for receiving the text of Aristotle, but on the one hand it is not likely to have been so used while the accounts on the *recto* were still valuable, and on the other the papyrus is not likely to have continued unused and undestroyed for very many years after the accounts had ceased to be of interest. Moreover some of the most remarkable forms of letters and abbreviations which occur in the Aristotle are also found in the accounts. The date of the Aristotle may therefore be fixed with some certainty at the end of the first century of our era or, at latest, the beginning of the second.

To pass on to the contents of the MS. The first thing necessary is to prove that this work is actually the lost

¹ It may be noted that writing of a very similar character is found in other papyri of which the date has hitherto been a matter of pure conjecture (*e.g.* Papyri XCIX, CIX, and CXIX in the British Museum), but which may now be safely assigned to some part of the second century. Another British Museum papyrus (CXXV *recto*), which cannot be earlier than the middle of the fourth century, shows how far this style of writing had degenerated by that time.

'Αθηναῖων Πολιτεῖα of Aristotle. This is of course done by means of the extant fragments of that work. Quotations from it are frequent in the grammarians, especially in Harpocration, to whom most of the fragments in which the work is specifically named are due. The last edition of Rose's collection (*Aristotelis qui ferebantur librorum Fragmenta*, Lipsiae, 1886) contains ninety-one fragments which are ascribed, with more or less certainty, to the 'Αθηναῖων Πολιτεῖα, in fifty-eight of which the work is referred to by name. Of these fifty-eight, fifty-five occur in the MS. now before us; one (No. 347¹) belongs to the beginning of the book, which is wanting in the MS.; one (No. 423) belongs to the latter portion of it, which is imperfect; while one alone (No. 407) differs distinctly from a passage on the same subject occurring in the text. Of the thirty-three fragments in which the work is not named, though in most of them Aristotle is referred to as the author, twenty-three occur in our MS.; four (Nos. 343, 344, 346, 348) come from the lost beginning, though as to at least one of them (No. 344) it may be doubted whether it belongs to this work at all; four (Nos. 354, 361, 364, 376) probably do not belong to this work, being merely incidental references which might occur by way of illustration in any other writing as well as in a professedly historical one; one (No. 416) belongs to the mutilated section on the law-courts, if it is from this work at all; while one (No. 358) is either a misquotation of a passage in the MS. or a reference to some other writing of Aristotle's. Thus of the total number of

¹ The references for the fragments are to the numbers given in Rose's collection in the fifth vol. of the Berlin Academy edition of Aristotle, published in 1870, as it is to these numbers that reference is generally made in the lexicons and elsewhere. But for the benefit of those who use the last edition of Rose (in the *Bibliotheca Teubneriana*, 1886) it may be mentioned that Nos. 381-412 in the 1886 ed. correspond to 343-374 in the 1870 ed.; 414-428 to 375-389; and 430-471 to 390-431; while Nos. 413 and 429 of the 1886 ed. are not given in the 1870 edition.

ninety-one fragments (of which eighty-five or eighty-six are probably genuine references to this work), seventy-eight are found in the MS. in its present condition, and all the rest, with two possible exceptions, are satisfactorily accounted for. It may be added that the passages discovered on some papyrus fragments at Berlin by Blass and identified as portions of the *'Αθηναίων Πολιτεία* by Bergk (see *Hermes*, XV. 366, *Rhein. Mus.* XXXVI. 87, *Berl. Akad. Abhandl.* 1885) are found in this MS., though Rose disputed the accuracy of Bergk's identification (*Aristotelis Fragmenta*, ed. 1886, pp. 260, 270). References are given in the notes to the fragments as they occur in the MS., and those which do not so occur are added in an Appendix.

It may therefore be taken for certain that we have here the work which was known and cited in antiquity as *ἡ τῶν Ἀθηναίων Πολιτεία*. Whether it is a genuine work of Aristotle's is another question. The subject of the Aristotelian canon is a difficult one, and must be left to those who are specialists in it; but the following facts are clear in relation to the present treatise. The *Πολιτεῖαι*, of which this was the most important section, is included in the lists of Aristotle's works given by Diogenes Laertius, Hesychius, and Ptolemy (the latter being known only in an Arabic version). It is true that Valentine Rose, whose thorough study of the remains of Aristotle is indisputable, considers the works named in those lists to be composed not by Aristotle but by obscurer members of the Peripatetic school (*Aristoteles Pseudepigraphus*, 1863); but this extreme view, which is in itself improbable, is rejected by Heitz (*Die verlorenen Schriften des Aristoteles*, 1865), Grote, and most other competent critics. No doubt several spurious treatises may be included in the lists, but there is no sufficient ground for rejecting them in the main; and the position of the *Πολιτεῖαι* is stronger than that of most of the doubtful works. From internal evidence it is

certain that it must have been composed before 307 B.C., for the author in describing the constitution of Athens in his own day speaks always of ten tribes, which number was increased to twelve in the year just mentioned. On the other hand the date 329 B.C. is incidentally referred to in ch. 54, and in speaking of the two sacred triremes in ch. 61 the name Ammonias is used in place of the Salaminia. This change of name (see note *ad loc.*) must have been made during the reign of Alexander, who claimed to be the son of Ammon, and out of respect for whom offerings were no doubt sent to the temple of Ammon in Egypt. This work was therefore written, or at least revised, at the earliest in the last seven years of Aristotle's life, and at the latest in the fifteen years after his death. We know further from a quotation in Polybius that Timaeus, who flourished about the middle of the third century B.C., or only two generations after Aristotle himself, referred to the Πολιτεῖαι, and referred to it as Aristotle's (*cf.* Rose, *Frag.* 504). It is perhaps dangerous to use any argument from style, owing to the doubts which exist as to the manner of composition of the works of Aristotle as they have come down to us; but the style of this treatise is in sufficient accordance with that of Aristotle as we know him elsewhere, and supports the belief that it is a genuine work of his. Whether the mention of τῶν συνηγμένων πολιτειῶν at the end of the Ethics is an explicit reference to the Πολιτεῖαι, and whether the latter was then in process of compilation, it would take too much space to discuss here; but one would naturally suppose that it is such a reference, and that the work in question was then either completed or in course of being completed. In any case it may be taken as established that the present work is that which is freely quoted and referred to in ancient times as Aristotle's; that it certainly was composed either in his life-time or a very few years afterwards; and that

the evidence, internal and external, tends strongly to show that Aristotle himself was its author. Under these circumstances the burden of proof lies on those who would dispute its genuineness.

One word should be said as to certain divisions which appear in the MS. At the head of the first and twelfth columns respectively the letters α and β have been written, while above the twenty-fifth column are the words $\gamma\tauόμος$. At first sight it might appear that these letters indicate sections into which the treatise was originally divided. This, however, is not the case. In the first place the letters in question are not in the original hand of the MS. Further, they correspond to no rational divisions in the subject. The first stands over the first column of the MS., but that column does not contain the beginning of the work, which is wanting. The second and third both occur in the middle of a subject, in the one case the constitution of the Four Hundred, in the other the duties of the $\betaονλή$. Again, in no citation of the treatise in any ancient author is there any indication of its having been divided into sections. One manuscript of Harpocration does indeed read $\epsilon\nu\tau\bar{\imath}\alpha'$ $\alpha'\alpha\thetaηνα\lambda\omega\nu\piολιτε\iota\alpha$ (*Frag.* 378), but even if the reading is correct it is only on a level with $\epsilon\nu\tau\bar{\imath}\alpha'I\thetaακησ\iota\omega\nu\piολιτε\iota\alpha\mu\beta'$ in Photius (*Frag.* 466), implying that the Athenian constitution stood first in Aristotle's list of states, while that of Ithaca was forty-second. The purpose of the letters in the MS. is quite different. In each case they stand at the beginning of one of the rolls of papyrus of which the whole MS. is composed, and there is no doubt that they are simply intended to indicate the order in which these rolls follow one another. Probably the person who added them (or rather the first two of them, since the third is in a different hand) did not observe that the beginning of the work is wanting, when he wrote the first of them above the first column of the MS., taking no notice

of the blank space that precedes it, which was no doubt intended to receive the missing portion of the work; but this might easily be the case, as this same blank space naturally gives the column which follows it the appearance of being the beginning of a work. As there is no trace of writing on this blank space, it may be taken for certain that the beginning was, for some reason or another, never written, and the MS. consequently begins with an incomplete sentence.

The subject of the treatise is the Constitutional History of Athens, and it falls into two sections. The first, which is the most interesting, contains a historical account of the development of the constitution from the earliest times to the re-establishment of the democracy after the expulsion of the Thirty Tyrants. This section is complete, with the exception of the beginning. The second is a detailed description of the various official bodies and persons in the state in the writer's own day. Much of this is lost, including the greater part of the account of the procedure in the law-courts; but the loss is not so much to be regretted, as the whole of this section of Aristotle's work has been very freely used by the later grammarians, especially Pollux in the eighth book of his *Onomasticon* and Harpocration in his *Lexicon of the Ten Orators*. The historical section, on the other hand, throws fresh light upon many parts of the history of Athens, in regard to both the early legislation before the Persian wars and the period between the Persian and Peloponnesian wars which is only briefly touched on by Thucydides. So many assumptions which have been confidently made on the strength of the previously existing evidence are now shown to be unfounded, that it is impossible to be dogmatic as to the conclusions to be drawn from the fresh material now submitted to the historian, and if phrases like 'it is probable,' 'perhaps,' 'it seems likely,' do not occur in

every line of this Introduction, it is not from any want of perception of the uncertain character of some of the conclusions which are arrived at; but it is necessary to make the attempt to show in what respects our conception of the course of Athenian history is changed by the re-appearance of the testimony of Aristotle. In the notes the separate points are dealt with as they arise, the object being to bring the narrative of Aristotle into relation with those of Herodotus, Thucydides, and Plutarch; but a short sketch of the history of Athens from the new standpoint may serve to show how far the traditional views of the chief crises in that history have been modified. The main outlines remain the same, but the details are in some cases altered and in others made more definite.

The beginning of the work, as has been said before, is lost. The MS. opens with the conclusion of the narrative of the conspiracy of Cylon and of its consequences in the way of the expulsion of the Alcmaeonidae and the purification of the city by Epimenides of Crete. The direct narrative of the period of the kings is therefore wanting; but a summary of the constitution as it existed before the reforms of Draco throws some light on the earlier history of Athens. This is especially the case with the period known as the rule of the Medontidae. On the death of Codrus, as has been universally agreed, some modification took place in the position of the kingship. The house of Codrus remained upon the throne, and its representatives governed for life, and the title of king (contrary to the popular tradition) continued to be given to them; but their power was modified in various ways. In the first place it is probable that the king was elective. The choice was indeed confined to the kingly house of the Medontidae; but the Eupatrid aristocracy, through its organ the Areopagus, selected the member of it who should represent the rest during his life. Further, with

the king two other officers of considerable importance were associated, the Polemarch and the Archon. Of these the Polemarch was the successor of the commander-in-chief who, *from the time of the legendary Ion*, had been associated with the more unwarlike kings; but the Archon was a new creation at the accession of either Medon or Acastus. The duties of the Archon are undefined, but it is clear that these two magistrates formed some check on the autocratic government of the kings. Meanwhile the Areopagus, which had at first no doubt been a body of advisers nominated by the king from the families of the aristocracy, was growing to be the chief power in the state. This became still more the case when, in 752 B.C., the life-magistracy was abolished, and the Archon was elevated to the titular headship of the state, with a limit of ten years to his government, the king being relegated to the second place in rank. The first four decennial archons were elected from the house of the Medontidae, and then the office was thrown open to all members of the Eupatrid aristocracy. The final fall of government by a single ruler took place thirty years later, in 682 B.C., when the archonship was made annual, and six additional archons, with the name of Thesmothetae, were associated with the three already existing magistrates.

With this change the power of the Areopagus reached its height. It was now the one permanent body in the state. It elected the archons and other magistrates, and all who had served the former office became members of it after their year of government,—a method of recruiting its numbers which was no doubt adopted when there ceased to be a single ruler with sufficient authority and position to nominate new members as vacancies occurred. It thus represented the whole official experience and the official traditions of the state, and it is not surprising that it assumed a supreme control over the whole administration.

and the general welfare of the country, imposing fines, amending and enforcing laws, directing finance, and no doubt guiding foreign policy. The Ecclesia, if it existed at all at this time, had certainly no power nor practical influence on affairs. The position of the Areopagus was analogous to that of the Roman senate during the greater part of the duration of the republic, and it owed its strength to the same causes.

Meanwhile, as at Rome, so at Athens, economical phenomena were tending to an upheaval of the whole fabric of state. The cultivators of the land, unable to stand the pressure of bad seasons, had fallen into the hands of the more moneyed class, and were crushed under a load of debts and mortgages. Like other peoples in similar conditions they sought for a political remedy to their economical distress by calling for a share in the government of the country. At the same time they complained that there was no certainty nor uniformity about the administration of justice. The Thesmoothetae had indeed been appointed partly with the intention of securing written and recorded decisions of cases ; but there was no general code to guide them, and it would be long before a system of purely judge-made law could attain the desired precision and certainty of codified law. The agitation on both these grounds grew hot and led to violent civil dissension, and matters were not improved by the factions which prevailed among the governing aristocracy, of which the most powerful family was that of the Alcmaeonidae.

The first outcome of the perturbed state of the country was an attempt to establish a tyranny. Cylon, an Olympic victor of the year 640 B.C., about eight years later seized the Acropolis with a band of friends and followers, and called on the populace to rise in his support. The attempt was unfortunate. The government had a sufficient force in hand to check a rising, if the people had been disposed

to attempt it ; the Acropolis was blockaded, and the well-known results followed. Cylon escaped, but his followers were forced to surrender and were treacherously put to death by the archon Megacles the Alcmaeonid. These events did not tend to allay the discord in the state. The enemies of the Alcmaeonidae had an effective handle given to them by the commission of this sacrilege, and attacked them more bitterly than before. The poor still complained of their want of representation in the government, of the uncertainty of the administration of the law, and of the generally hopeless condition of their prospects in life. This agitation at last had its effect, and about the year 621 B.C. the aristocracy consented to the appointment of Draco to deal with the trouble as seemed to him best.

The work by which Draco was best, and indeed almost solely, known in later times was his codification of the laws, by which penalties, severe indeed but at least definite, were assigned to the various crimes known to them. But he was not merely a legal reformer. His more important work was a re-adjustment of the constitution which in many respects anticipated the subsequent legislation of Solon, in which the reforms of the earlier statesmen were swallowed up and lost to the memory of posterity. A share in the government was given to all persons capable of furnishing a military equipment,—precisely the qualification which, two hundred years later, was revived on the overthrow of the administration of the Four Hundred. With this step the Ecclesia must have come into practical existence, and to it was apparently transferred the election of officers of state ; and along with it Draco created a Council consisting of 401 members, with duties analogous to those which its successor fulfilled under the constitution of Solon. For the selection of this body, as well as for the appointment of some of the less important magistrates, the principle of the lot was called into

existence, probably mitigated by an initial selection of a limited number of candidates by the tribes. Property-qualifications of varying amount were instituted for the several offices of state; and fines were imposed for non-performance of public duties. Meanwhile the Areopagus, whose powers were diminished only in respect of the elections, remained as before the centre of political power.

Draco attempted to provide a political solution for an economical problem, and with the natural result. The aristocracy were displeased with the infringement of their Eupatrid monopoly. The poor, with the land question unsettled, were just as much at the mercy of their creditors, who were practically their landlords, as they were before. There is an almost cynical tone in the brief sentence with which Aristotle closes his account of the reforms of Draco; *ἐπὶ δὲ τοῖς σώμασιν ἥσαν δεδεμένοι, καὶ ἡ χώρα δι’ ὀλίγων ἦν.* The natural results followed, *ἀντέστη τοῖς γυνωρίμοις ὁ δῆμος.* The populace rose against the upper class, the upper class was divided against itself, the land was full of conflict, and abroad it could show no front to its enemies, who held Salamis before its very door. Various remedies were tried, but with little avail. The Alcmaeonidae, with the curse of heaven supposed to be resting on their house, were expelled from the country, and even their dead cast out of their tombs. But still the trouble continued, and Nisaea and Salamis, which under a sudden enthusiasm inspired by the poet Solon had been captured from Megara, were lost again within a few years. The curse was still on the country; and Epimenides the Cretan was called in to make a solemn purification of the land. The popular excitement was thus allayed, but the economic causes of trouble were still untouched, and it is a sign of the pacific effect of the visit of Epimenides that a few years afterwards all parties came to an agreement to entrust the complete reform of the state to a single

individual. Solon, who had won the respect of all as poet and devoted patriot, who was moreover of fair position and wealth, was selected and received a free hand to deal with the economic and political condition of affairs.

He began with the former, and he found matters too desperate to admit of any but one remedy. All debts, public and private, were cancelled, and for the future the securing of debts upon the person of the debtor was forbidden. Independently of this, and subsequently to it, he effected a reform of the standards in use for weights, measures, and money, and introduced the Euboic standard of currency in place of the old Pheidonian or Aeginetan standard, thus simplifying Athenian trade with Asia Minor, and giving rise to that increase of prosperity from commerce which was the best security against the repetition of such drastic measures as the *σεισάχθεια*.

The economic pressure being lightened, he proceeded to deal with the political constitution. In the first place all existing laws, except those relating to murder, were repealed, so as to give the reformer a clear field on which to reconstruct the constitution according to his own ideas. He then proceeded to take a completely new basis for the organisation of the state. There was already in existence a classification of the people according to their property, which was no doubt used for purposes of taxation. This Solon adopted for his political purposes, and according to a man's position in one or other of these four classes, such was his share in the government of the country. The highest offices, such as the archonship and the stewardship of the treasury, were reserved for the Pentacosiomedimni. The Hippeis and the Zeugitae were eligible for minor magistracies; while those who were classed as Thetes, among whom was included the whole mass of the unskilled labourers of the country, received

a voice in the Ecclesia and a seat in the law-courts by which the conduct of outgoing magistrates was reviewed at the conclusion of their term of office. The revolution was great, and even greater in potentiality than in immediate result. The qualification of birth was swept away and the qualification of property substituted. The election of magistrates was established on a popular basis, being given primarily to the tribes, ultimately to the lot. Thus in electing the archons the four tribes each elected ten candidates, and from the forty names thus submitted nine were chosen by lot. The Ecclesia, in which these elections were probably conducted, grew in importance, though still it is not likely that it exercised any perceptible control over the general management of public affairs. The Council of Draco was re-established, with the odd member struck off, making the total four hundred. By these measures, and by the general improvement in the position of the lower orders, the powers of the Areopagus were curtailed, but it still remained, as Aristotle expressly says, the guardian of the laws and of the state, with a general supervision of both public and private life, and a power of inflicting summary punishment.

The constitution of Solon, though in many points he was only following his predecessor Draco, was rightly regarded in later times as the origin of the democracy of Athens. The labouring class was for the first time given a voice in the government, and was taught to look upon itself as having the right to review, and if necessary to censure, the conduct of affairs by the magistrates whom it had itself elected. The popular assembly became for the first time the representative of the collective voice of the whole people, though a long course of political training was necessary before the classes newly admitted to the franchise were capable of exercising to any important extent the powers thus committed to them. The consti-

tution of Solon was a great and memorable achievement, not so much for what it immediately accomplished as for its indication of the lines along which the Athenian democracy was to develope.

At the moment, indeed, it gave little satisfaction to anyone. The poorer classes had had their hopes and their cupidity excited by the long agitation which preceded the reforms; and though in fact they were gainers every way by the new legislation, for the moment they were disappointed because there had not been a general redistribution of the soil of the country, which would have given them a slice of their neighbours' property without labour and without cost. The aristocracy had more reason to be discontented with an arrangement which abolished the old distinctions of birth and threatened even their stronghold in the council of Areopagus, in addition to the absolute loss of whatever money they had had out on loan at the time of the *σεισάχθεια*. Even Solon's personal friends were not satisfied, except perhaps those who had made a fortune by sharp practice out of an early knowledge of the impending economic measures. They had confidently expected him to follow the example of so many other persons who had received similar autocratic powers in other states, by establishing himself as despot. No one indeed would have been surprised if he had done so; but his conduct and his writings (from which Aristotle makes considerable quotations) alike prove him to have been a man of rare principle and unselfish devotion to the public good.

The immediate consequences were not, however, encouraging. Assailed on all sides by complaints and criticisms, the discontented parties naturally making more noise than those who were satisfied, Solon preferred to quit Athens for a prolonged period of foreign travel, and to leave the public excitement to cool down by

itself. For a short time there was no actual outbreak of disorder, but political feeling ran high, and the elections to the office of archon caused much excitement. In 590 B.C. the conflict of parties was so keen that no archon could be elected at all, and four years later the same phenomenon was repeated. No details are given as to the parties or the leaders between whom these contests were at this time carried on, but probably the divisions were the same as those which we find existing a little later, namely, the party of the Plain, who were the extreme oligarchs; the Shore, which included the Alcmaeonidae and desired a moderate or mixed form of government; and the Mountain, which represented the poorer classes of the democracy, to whom were attached the desperate and broken men 'and every one that was distressed, and every one that was in debt, and every one that was discontented' in every class of society.

But a fresh turn was given to affairs in 581 B.C., when an attempt was made to overthrow the constitution and establish a tyranny in its place. Damasias, who had been archon in the previous year, contrived to be continued in office during this year also. We are not told on what pretext this was effected, and the fact does not appear to have aroused alarm. But when the time came for new archons to enter into office in 580 B.C., and Damasias still showed no signs of abandoning his position, it was clear that his intention was to establish himself as a despot. Against this danger all parties of the state united, and as the would-be tyrant had neglected to provide himself with the only trustworthy support of a despotism, a paid military force, he was expelled from his position within two months after the completion of his second year of office. It then became necessary to provide for the government of the country during the remainder of the year, and as all parties had combined in the expulsion of the tyrant,

all had a right to have their claims to consideration respected in the matter. The old aristocracy could not reasonably exclude the representatives of the other classes from a share in the government, but on the other hand they thought it a good opportunity to abolish the Solonian property-qualification which refused to recognise the claims of birth. Accordingly they reverted to the older division of classes, and drew up a board of ten, of which half was reserved to the Eupatridae, while three representatives were assigned to the Geomori and two to the Demiurgi. But this arrangement does not seem to have given satisfaction, for we hear nothing of its being continued beyond the year for which it was created, and we must presume that the Solonian system then returned into force.

Matters now settled down for twenty years into a condition of active party warfare, but without positive disturbance so far as we are aware. Probably the sections which bore the most prominent part in the yearly struggles for office were the Shore and the Plain. The labouring class, known as the Mountain, could not hope to elect any representative of their own to high office in the state, being excluded by the property-qualification ; but they might turn the scale between the two other parties, and they might be of great value to an able leader with ulterior designs of his own. Such a leader they found at last in Pisistratus. Born probably about 600 B.C., he had distinguished himself while still comparatively young as a leader in war, and had conducted a successful campaign against Megara, which culminated in the capture of Nisaea. On the strength of this achievement he appeared as a leader in the political contests, attaching himself to the party of the commons and being accepted by them as their chief. Within a few years his real intentions, of which the now aged Solon had warned the people in some more of those political poems which had first won him

fame, became manifest to all. In 560 B.C. he made his first bid for the tyranny. By the well-known stratagem he secured an armed body-guard, and with that body-guard he seized the Acropolis. His force was sufficient to overawe opposition for the moment, and it is probable that the common people did not regret a change which relieved them from the government of their hereditary enemies, the Eupatrid oligarchy. The exhortations of Solon were unheeded, and Pisistratus was allowed to establish himself in autocratic power.

At first, however, it did not appear that this new attempt at despotism would have a much greater success than that of Damasias. After five years the two other factions in the state combined against the despot, and their power proved greater than his. Pisistratus was driven into exile, and for four years he had no chance of a return. Then the cards of party were shuffled anew, Megacles the leader of the Alcmaeonidae and Pisistratus made friends, and the latter was re-established in the tyranny as the husband of his ally's daughter. Still, however, he had not learnt the only way in which a despotism could be made secure, and when a quarrel with his father-in-law threw the latter once more into alliance with Lycurgus and the party of the Plain, he had no choice but to escape while there was time, lest a worse thing happen to him. His second period of government had lasted about six years, but he had nearly twice that length of time to pass in exile. This time he learned his lesson thoroughly. He settled for some years in the rich metalliferous districts about the Strymon and Mount Pangaeus, and with the money which he derived thence he hired mercenaries and allies, and when about 535 B.C. he came back to Athens, he came to stay. His last period of government was not indeed very much longer than his other two, lasting apparently for about eight years, but it was of a very different kind. Before

he had never been certain of his seat and was dependent on the precarious support of political rivals. This time he was firm in the saddle, and when he died at a good old age in 527 B.C. he left the quiet possession of the kingdom to his sons.

Of the government of the tyrants at Athens there is not much that is new to be said. It is agreed on all hands that the administration of Pisistratus was mild and beneficent, so that, as Aristotle expressly mentions, men recalled it afterwards as the Golden Age. The principle of the policy of Pisistratus was to keep the people employed and to keep them contented. To these ends law was administered equally and fairly, capital was provided to encourage agriculture and commerce, public works were commenced on a large scale, while a tax of one-tenth on the produce of the land served the double purpose of providing the government with a sufficient revenue, and of requiring the cultivator to devote more time and attention to his occupation in order to meet this additional demand. The sons of the tyrant continued the same policy. The main business of government was conducted by the elder, Hippias, while Hipparchus cultivated literature and art and devoted himself to the pursuit of his own enjoyment. For thirteen years this lasted uninterrupted and unthreatened. Then came the conspiracy of Harmodius and Aristogeiton, the murder of Hipparchus, four years of soured rule from the alarmed and embittered Hippias, the sought interference of the Delphic oracle, and finally in 510 B.C. the expulsion of the tyrant and his house by the agency of Sparta.

The democracy was re-established, and with the democracy its party struggles. But a fresh departure was at hand. The Alcmaeonidae had always been opposed to the extreme oligarchs and in favour of some form of government intermediate between oligarchy and democracy. This

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timo they went further, and their leader Cleisthenes entered into close association with the commons, thereby securing his own elevation to power. The attempt of the Spartans to destroy the new democracy at the instance of the expelled oligarch Isagoras, and in revenge for the fraud by which the Delphic oracle had prompted them to overthrow their good friends the Pisistratidae, here checked his progress for the moment, but the resolute action of the populace of Athens nipped in the bud an effort which had not calculated on so vigorous a resistance. The oligarchs captured with Cleomenes and Isagoras in the Acropolis were put to death, and their friends learned a lesson which kept them from interfering with the development of the democratic schemes of Cleisthenes. He determined to put an end, for good and all, to the local and family factions which had so long disturbed Athens. The old tribal divisions, with their subdivisions the trittyes and naucraries, were swept away. A new set of tribes, ten in number so as to be incapable of being made to correspond with any existing subdivisions of the earlier four, was called into existence, with new names and new associations. To each of these tribes were assigned three divisions bearing the old name of trittyes, of which one was taken from each of the three local divisions of the Plain, the Shore, and the Mountain, and these trittyes were again subdivided into demes, which henceforth became the local unit of Athenian politics. In a short time all the ordinary associations of civil life were connected with the deme to which a man belonged, and by the name of which, together with the name of his father, he was officially known; and the old local factions disappeared finally from Athenian history.

This was the main feature of the constitution of Cleisthenes, but there were various other alterations introduced by him, mostly of a less striking character in themselves, but all tending in the same direction, namely the extension

of the powers of the commons. The most remarkable of these was the law of ostracism, which gave the populace the power by a free vote to decide between two rival leaders of the state, and thereby to commit itself unreservedly to the policy of one or the other. This was especially introduced as a precaution against the partisans of the expelled tyrants ; but in the first instance the mere threat was found to be sufficient, and it was not put in force until the first Persian invasion showed that danger was still to be apprehended from that quarter. Another measure which must be ascribed to Cleisthenes, though it is the absolute contrary of that which has generally been believed to be a great feature of his constitution, is the direct election of the principal magistrates, such as the archons, by the popular assembly. Solon had, as we have seen, established a combination of election and the lot, a system which had probably been abrogated by the government of the tyrants ; for, though archons were undoubtedly elected during that period, it is certain that the people were not allowed to make a free choice of their magistrates (Thuc. VI. 54). Cleisthenes, however, naturally thought that it would strengthen the democracy to be able to choose directly the chief officers of the state ; and indeed some such step must have seemed necessary in the critical years following the expulsion of the tyrants. It was not until the democracy seemed firmly established that, in the year 487 B.C., a system of the lot, closely resembling that of Solon, was re-established.

Certain other measures followed in connection with the institution of the ten tribes. The old tribes had elected one hundred members each to form the Council of Four Hundred ; the new tribes were required each to elect only half that number, which gave the new Council a total of five hundred. The numerous boards of ten which existed in later days in Athens were of course based on the ten tribes

of Cleisthenes, but they cannot safely be ascribed to his times. The most important of them, the Strategi, does not seem to have been instituted till some years afterwards ; and for many of the others there would have been no necessity at that date. Nor does Aristotle give us any ground for connecting the dicasteries with Cleisthenes in any way. That they existed in some shape before that time is certain from his account of the constitution of Solon, in which the right to obtain justice for injuries and the power of voting in the law-courts, especially with reference to the review of a magistrate's conduct at the end of his term of office, are specified as two of the most important characteristics of that constitution ; and there is nothing to show that the elaborate organisation of the judicial body which prevailed at a later time is to be attributed to Cleisthenes.

Of Cleisthenes himself we hear nothing after the year of his recall, in 508 B.C., and his predominance does not seem to have lasted long. The story of his suffering under his own law of ostracism is certainly false, and may be ascribed to a pleasing sense of poetical justice untrammelled by the details of facts ; but the suggestion of Curtius, that he was forced to retire from public life through the indignation aroused by the proposal to buy Persian help against Sparta by submission to the Great King, is not improbable. However that may be, his work was done, and the Athenian democracy had made its next great step in advance on the lines laid down by Solon. The power of the lower orders now began to be felt in the state. The Ecclesia began to exercise larger functions, and its consent to any policy suggested by the Areopagus could no longer be assumed. The old factions were swept away, and it became necessary for the statesman who aspired to guide the country to have the ear of the people. The difference in practical working between the constitution of Solon and the constitution of

Cleisthenes may be seen by a contrast of the methods of party warfare employed by Megacles and Pisistratus on the one hand, and Themistocles and Aristides on the other.

The effect of the reforms of Cleisthenes was seen at once in a long period of peace and development, during which Athens made that striking progress which is so strongly commented on by Herodotus (V. 78). Then came the period of the Persian wars, from which the democracy of Athens, which had been threatened with utter overthrow and dissolution, emerged stronger than ever. The years between the two invasions showed some striking developments of great importance. Two years after Marathon the Athenians resorted for the first time to the machinery of ostracism, and against the very individual against whom it had been first designed, Hipparchus the representative of the family and party of the exiled tyrants. The appearance of Hippias in the Persian army and the treacherous attempt to betray the city to the invaders by the signal from Pentelicus showed that precautions must be taken against the recurrence of such an event, in case the threatened repetition of the invasion by Darius should actually take place; and accordingly at this time several persons belonging to the same party were ostracised. Having once tasted the pleasures of this summary method of dealing with leading personages, the populace was unwilling to abandon it and extended it to others from whom no similar danger could be feared; and in 486 B.C. Xanthippus, and about 483 B.C. Aristides, were sent into exile, though both were recalled, with others, in the spring of 480 B.C., when Xerxes was marching upon Greece. Meanwhile in 487 B.C. the system of the lot was re-introduced for the election of the archons, in the shape of an extension of the Solonian method. The tribes nominated ten (or possibly fifty) candidates each for the post, and from this number the nine archons were chosen by lot, one from each

of nine tribes, while from the tenth was chosen their secretary. In 483 B.C. occurred the very important discovery of the silver mines of Laurium or Maroneia, from the proceeds of which Themistocles persuaded the Athenians to build the triremes which secured the safety of Athens and of Greece at the battle of Salamis.

The period which follows the Persian wars and leads up to the Peloponnesian war is one of steady development of the power of the democracy. With the expansion of the Athenian maritime empire and the course of inter-Hellenic politics during this same period Aristotle has nothing to do; but he throws some light on the chronology of the internal history of Athens. The first notable result of the war was a revival of the power of the Areopagus. The reforms of Cleisthenes and the consequent development of the democracy had seriously impaired its authority, but a period of war gave it an opportunity such as came to the Roman senate during the struggle with Carthage. At the critical moment before Salamis, when there was much doubt whether sufficient crews would be forthcoming to man the fleet, the strategi, who now were the chiefs of the military and naval forces of the country, seemed to be inclined to throw up the game in despair and bid every one save himself as best he could. At this moment the aristocratic council intervened and by a timely donation of money secured crews to man the fleet and saved Athens and Greece from disaster. This achievement raised the prestige of the Areopagus, and for several years it was once again the centre of the administration. Under its superintendence, as Aristotle testifies, all went well. The power of Athens expanded on every side. Under the leadership of Aristides the Confederacy of Delos was established in 478 B.C., and by the combined action of the two rivals, Aristides and Themistocles, the walls of Athens were rebuilt. Each of these statesmen served his country

in his own way; but while the great achievements of Themistocles were connected with war and the preparations for war, Aristides is more important from the constitutional point of view. Though it is not the case, as has been supposed, that he threw open the archonship to all classes of the community, it was he that initiated another step which was of far greater importance for the development of the democracy. Aristotle attributes to him the counsel that the people should gather in the capital, instead of living scattered over the whole face of Attica, whereby they would be able to use their numerical strength to control the course of public affairs; while they could count on making their living by the payments given for service in the army or in garrisons and for other public duties. This was the beginning of that system of living on the public purse which was carried to such lengths by the later demagogues in their competition for popular favour, whereby, even before payment was introduced for service in the Ecclesia, upwards of twenty thousand persons were receiving money from the public treasury.

Meanwhile a reaction was taking place against the supremacy of the council of Areopagus. Though that body could no longer have been the exclusively aristocratic assembly which it was in the days when it elected the magistrates from whom it was itself to be recruited, it still represented a conservative element in the constitution. Office has a sobering and conservative effect upon all men, and the Areopagus was for some time after the Persian wars composed largely of men who had won their archonship by direct election, and who probably in most cases belonged to the higher classes of society. All the traditions of the body were opposed to the rapid march of democracy, and it could only hold its own by evidence of pre-eminent capacity for government. But in this respect a change was coming over it. The degradation

of the office of archon by the introduction of the lot in the elections told upon the character of the Areopagus. Instead of being a council of the élite of the aristocracy it was becoming little more than a glorified vestry. It was not likely that the growing democracy, conscious of its strength in its own assembly, would always submit to the supervision of a body composed of second-class magistrates selected by the hazard of the lot, whose prestige and considerable powers were generally directed to the retarding of its growth and development. The attack which was at last formally made upon the ancient council was headed by Ephialtes, and was delivered in the year 462 B.C. In this enterprise he had a strange ally from within the numbers of the Areopagus itself, in no less a person than Themistocles. This somewhat tortuous politician was at the time under apprehension of a charge of Medism, which was being investigated by the Areopagus ; and his share in the attack which was now being made on that body consisted principally in hastening the course of events. Having first warned Ephialtes that the Areopagus was about to arrest him, he proceeded to the Areopagus and there denounced Ephialtes as being engaged in a conspiracy against the state, and offered to conduct a party to the house where the conspirators were assembled. On arriving at the house of Ephialtes he managed that he should be seen talking with the members of the council who accompanied him. Ephialtes, thinking no doubt that the warning of Themistocles was being fulfilled, escaped and took refuge at the altar ; but realising that his only chance of safety lay in taking the bull by the horns, he hurried to the Council of Five Hundred and made a violent attack on the Areopagus, presumably proposing to strip it at once of its peculiar powers. In this he was seconded by the versatile Themistocles, who no doubt was able to furnish some plausible explanation of his conduct. The

matter was carried from the Council to the Ecclesia, and the attack was there completely successful. The Areopagus was deprived of all the rights which made it the general guardian of the state, and its functions were distributed between the Five Hundred, the Ecclesia, and the law-courts. Neither of the leaders, however, derived much advantage from their success. In the heat of party strife to which the conflict had given rise Ephialtes was assassinated, within the same year as the overthrow of the Areopagus ; and though Themistocles seems to have escaped from the accusation which was then impending, he was ostracised almost immediately afterwards, and whilst in banishment the revelations which followed on the disgrace and death of Pausanias of Sparta made it necessary for him to flee from the soil of Greece and take refuge in Persia.

With the fall of the Areopagus the last check on the autocratic rule of the democracy was removed, and from this moment Aristotle dates the deterioration of the tone of Athenian politics. It is marked by the rise of the demagogues, men who depended for the retention of their power on their ability to please the varying tastes of the popular assembly. As soon as it becomes necessary for statesmen to think, not what is best for the interests of the state, but what will be popular with the majority, the character of politics and of public life must be lowered. The decline was hastened by the drain on the best material of Athens caused by the constantly recurring foreign wars and expeditions, in which, according to Aristotle, the incapacity of generals of excellent family but no military experience led to the loss every time of two or three thousand of the flower of the army. No constitutional changes of any great importance took place in this period, though Aristotle notes the extension of eligibility to the archonship to the Zeugitae in 457 B.C.

and the limitation of the citizenship to those who could show Attic descent on both sides in 451 B.C. The latter measure was the work of Pericles, who here makes his first appearance in the pages of Aristotle. No doubt he had taken part in public life for some years before this time. He may have been one of the supporters of Ephialtes in his campaign against the Areopagus, though he certainly was not one of the leaders in it; and in any case he followed up the policy thus initiated by fresh legislation against some of the remaining privileges of that body. In the purely constitutional history of Athens, however, Pericles is not a figure of any great importance. No new departure was made by him. He merely carried out the principle of the sovereignty of the popular assembly which had been established by Ephialtes, and though he carried it out in such a way as to disguise the real dangers and weaknesses of that principle, he was yet in truth only the first of the demagogues to whom Athens ultimately owed her ruin. So long as the Ecclesia was directed by a man of high character and far-sighted statesmanship, such as Pericles, no harm could result; but when he was removed from the scene, the leadership fell into the hands of men of no principle and little statesmanship, and the assembly, growing arrogant by the very weakness of its leaders, became less and less manageable and less and less capable of directing the affairs of an empire through the various crises of a great war. The populace subsisted now on the public purse. Pericles had instituted payment for service in the law-courts, and when the Peloponnesian invasions drove all the inhabitants of Attica within the walls of the capital, and everyone was receiving pay either as juror or as soldier or as magistrate, the control of the state fell into the hands of the least capable but numerically largest section of the democracy, and of those who were best able to tickle its fancies or gratify its greed.

The Athens of the early days of the ~~Confederacy of Delos~~, in which the aristocratic and democratic elements were not unequally blended in the constitution, was capable of empire; but the Athens of the unmitigated democracy was not.

So Athens went steadily downhill, and of the later politicians those whom Aristotle finds it most in his heart to commend are Thucydides and Nicias and even the opportunist Theramenes. The mention of the latter leads on naturally to the description of the constitutional crisis of the year 411 B.C. The disasters in Sicily and the absence of a large part of the able-bodied population of Athens with the fleet at Samos left the democracy at home weak and without leaders. In addition to this the report was industriously put about that the support of the Great King might be secured if only the constitution was changed from an extreme democracy to a moderate oligarchy. Those who preferred the safety of the country to the particular form of its government might thus be excused for being lukewarm in the defence of the democracy, while those who might have been disposed to resist were paralysed by the terrorism established by the oligarchical clubs and societies. The proposals of the oligarchical leaders were complicated and rather obscure, involving a provisional form of government of which a Council of Four Hundred was the chief element, and a scheme for a constitution to be adopted hereafter, with a sovereign body of Five Thousand and councils of one hundred succeeding one another in rotation, of which the first four were to be carved out of the original Four Hundred. It is not necessary to go into the details of these schemes, which are given at great length by Aristotle. They are of little constitutional importance, as for the most part they were not carried into effect but represent merely the paper constitution of an oligarchical

commission, which failed of being put into force through the overthrow of the government of the Four Hundred four months after it had been established.

On the course of events between the fall of the Four Hundred and the end of the war Aristotle throws little fresh light. He repeats briefly the approval expressed by Thucydides of the government of the Five Thousand (a nominal number including all those who were able to furnish arms) which was established after the overthrow of the oligarchy. He merely adds that the democracy re-assumed the government very shortly afterwards, which may be taken to confirm the suggestion that this occurred after the battle of Cyzicus in 410 B.C., when the fleet, with its strong democratic tendencies, returned to Athens. Four years later came the victory of Arginusac, which gave Athens her last chance of an honourable escape from the war. But that victory was followed by a blunder and a crime which neutralised its results. The crime was the condemnation of the generals, of which Aristotle gives only a brief and apparently inaccurate account. The blunder was the refusal of the peace proposed by the Lacedaemonians, fatuously voted by the criminally light-hearted Ecclesia in obedience to the drunken braggadocio of Cleophon. The opportunity passed, never to return, and the next year saw Athens at the feet of her conqueror. The summer of 405 B.C. brought the fatal battle, or rather surprise, of Aegospotami, and in the following April Athens surrendered.

The fall of Athens brought upon her the last of her many alterations of constitution. The terms of peace included the provision that 'the ancient constitution' (*ἡ πάτριος πολιτεία*) should be restored. The expression left room for a considerable variety of interpretation, and the democrats, the moderate aristocrats (the leader of whom was Theramenes), and the extreme oligarchs all

claimed to interpret it in a way suitable to their own views. But Lysander constituted himself a court of appeal to which there was no superior, and he cast his vote with the extreme oligarchs. The Thirty Tyrants, as they shortly came to be known, were established in power by a forced vote of the people, and entered upon office about the beginning of May, 404 B. C. At first no complaint could be made of their rule, beyond their neglect to draw up the scheme of the constitution which was the special duty committed to them. Few regretted the strong measures which they took against those pests of the law-courts, the professional accusers, and the other discreditable parasites of the democracy. But 'l'appétit vient en mangeant,' and the Thirty were less in favour when they passed on to lay hands on persons whose only offence was wealth. The butcher's bill mounted up fast, and in a few months the total of persons put to death by the oligarchy reached fifteen hundred. Meanwhile trouble was impending both within and without the city. Abroad, the numbers of the exiles in the neighbouring states of Thebes and Argos were increasing and the government was rapidly losing the sympathy of the inhabitants of those countries. At home, the moderate party among the Thirty was protesting more and more vehemently against the violence of the extremists. Theramenes, their leader, constantly urged the more extreme party to place the government on a broader basis, in order to secure more popular support. To pacify him, his colleagues agreed to draw up a roll of three thousand names, who should have some share in the government; but they delayed to publish the list and had clearly no intention of making it a reality.

At this point their action began to be hastened from outside. Late in the autumn Thrasybulus, with his little band of seventy fellow-exiles, surprised and occupied the

frontier post of Phyle. The Thirty made one or two attempts to expel the intruders, but the severe weather and a clever surprise effected by Thrasybulus caused their forces to retire defeated. They began now to take alarm and perceived that it was necessary to set their house somewhat in order, that they might not be divided against themselves at home. The first step was to dispose of Theramenes, a person who must at all times have been singularly embarrassing to his less versatile colleagues. This was done, according to Aristotle, in a somewhat neater fashion than the rough-and-ready method described by Xenophon. A law was proposed which gave the Thirty summary power of life and death against all who were not on the list of the Three Thousand as finally revised and published. This was probably passed without much opposition even from the more moderate members of the Thirty ; but it was followed by another which enacted that all persons should be excluded from a share in the government (*i. e.* from the Three Thousand) who had had any hand in overthrowing the Four Hundred. By this law Theramenes was clearly put outside the pale and was thereupon arrested and put to death. Immediately after this the whole population outside the Three Thousand was deprived of arms, a Spartan force was (now for the first time, according to Aristotle) invited to the Acropolis, and the Thirty may have felt that they could now look their enemy in the face.

If so, they were promptly undeceived. Thrasybulus had been waiting at Phyle till his numbers had increased to upwards of a thousand ; but about January, a time when military movements were not to be expected, he suddenly set out for Athens and established himself in Munychia before the Thirty could gather a force to oppose him. The combat that followed killed the chiefs of the Thirty and wrecked their government. The very next day

their followers met in the agora and deposed their defeated and discredited leaders, and appointed a new board of Ten with instructions to bring the war to a close. The Ten, however, had ideas of the pleasures of government which led them to neglect their commission, and their first steps were to send representatives to Sparta to secure countenance and a loan of money. When complaints began to be heard against them in the city, some timely severity, backed by Callibius and his Spartans, showed that they did not mean to be trifled with. It was not until the bulk of the population had slipped away to Piraeus, and it became clear that the party of the city had become weaker than that of the suburb, that the obstruction of the Ten was overcome. A second board of Ten was appointed, consisting of moderate and constitutional men, and these, acting in unison with the Spartan king Pausanias, brought the negotiations to a successful issue. An amnesty was granted, with exceptions only against the Thirty, the first board of Ten, and their immediate instruments, and, while every inducement was held out to persuade all other persons to remain in Athens, a sanctuary was granted at Eleusis to those who were afraid to stay. The tact, moderation, and justice of Archinus, one of the leaders of the exiles who returned with Thrasybulus, smoothed over the dangers and difficulties which naturally attended the first few months of settling down after the civil war; and when, two years afterwards, the last traces of the evil times had been obliterated by the re-absorption of the secessionists at Eleusis into the body of the community, the last of the revolutions of Athens was over and her constitutional history closed.

So at least it seemed to Aristotle, and few will care to dispute his judgment. It is true that the restored democracy lasted for three-quarters of a century yet, and that a history of that period is much to be desired from some

less prejudiced authority than that of the orators. But it presents no points of constitutional interest, and Aristotle could have done little but echo the lamentations of Demosthenes over the shallow fickleness and the vanished energy of the Athenian democracy. Nor could we wish for an account of the petty details of changes which followed on the descent of Greece to the position of a subject power, or to know that a tribe was added here and a ship's name altered there in compliment to one or other of the successors of Alexander. The lessons of Athenian constitutional history, such as they are, end with the close of the fifth century. Aristotle sums them up in a list of eleven epochs¹, and when we consider that ten of the changes enumerated fall within a period of barely more than two hundred years, it can but intensify the feeling which inevitably arises from the study of the history of Athens, that, while no nation ever possessed such brilliant philosophical writers with such an aptitude for political theory, none was ever so incompetent to convert those theories into stable political practice.

The second part of Aristotle's work requires very little description. Not only is the MS. considerably mutilated in this portion, but the contents are of far less interest and importance than those of the earlier part; and in addition to this it has been largely quarried by the grammarians and lexicographers, so that much of it is already known, at least in substance. It is a summary of the machinery of

¹ He takes the original establishment of Ion and his successors as his starting-point, and enumerates the following epochs of change: (1) Theseus, a slight modification of absolute monarchy; (2) Draco, the first legislator; (3) Solon, the foundation of the democracy; (4) Pisistratus, the period of tyranny; (5) Cleisthenes, the re-establishment of democracy in a more pronounced form; (6) the Persian wars, the revival of the Areopagus; (7) Aristides and Ephialtes, the encouragement of the lower orders and overthrow of the Areopagus, followed by the disastrous period of the demagogues; (8) the Four Hundred; (9) the restored democracy; (10) the Thirty and the Ten; (11) the finally restored democracy.

government as it existed in the days of Aristotle. It begins with the forms of admission of the youthful Athenian to his place in the constitution when he came of age, and it proceeds to describe in turn the functions of the Ecclesia, the Council, the magistrates, whether elected by lot or by direct vote, and the courts of law. The section dealing with the Ecclesia and Council is perfect, but the details of their procedure are not as full as we might perhaps wish, or as is the case with the section on the law-courts. The account of the magistrates would be complete, being fully included within the limits of the six columns of MS. which occupy the third roll of the papyrus, were it not disfigured by a large number of serious mutilations. The law-courts formed the final section, but of this very little remains in a decipherable condition, though enough to show that their forms of procedure were detailed at considerable length.

In all this, however, Aristotle is only describing the mechanism of government. What we miss throughout the treatise, and especially in the second part of it, is any discussion of the spirit and principles of the Athenian constitution. This formed no part of the scheme of the present work. The *Πολιτεῖαι* professed only to be collections of facts. The generalisations and the deductions obtained from them belonged rather to the *Politics*. But in point of fact there is not much profit to be derived from minutely inspecting the political proceedings of the Greek states. The Greeks had none of the genius for organisation which distinguished the Romans, and the influence of their example on the political development of the modern world has been extremely slight. At Athens, above all (and it is at Athens alone that we know much of the internal history of the state), there was no aptitude for the sobriety, the conservatism, the adherence to forms which are essential to the solid building up of a political constitution. The Athenians had none of the tenderness for old formulas

which have marked both the Romans and the English. If they contemplated a change, they made a clean sweep of the institutions of which they were tired. They were not fond of acting upon principles, and consequently it is useless to refer to their history for evidence of the principles upon which the government of a country may be administered. The instructiveness of Athenian political history lies rather in the concrete lessons which may be gathered from a study of the actual fortunes of certain forms of government, and particularly the rise, development, and degeneration of the democracy. It is true that any reflections which may be based on this must be qualified by the recognition of the fact that the Athenian democracy was not a democracy of the busy working classes, but was founded upon slave labour. Whether for good or for evil, the members of the Athenian democracy had leisure to devote themselves to the continued personal participation in the affairs of practical politics, and had also leisure for general self-culture in other directions. In these respects they differed materially from modern democracies. But on the other hand many of the deductions with reference to democracy which may be drawn from Athenian history hold good,—all, indeed, which rest on the fact that the persons deciding on any political question were the same as those who were directly affected by the decision arrived at. The Athenian Ecclesia was responsible to no other power or person, and it had no interests to consider except its own ; and though no modern nation can have a sovereign assembly which includes every adult man in the community, yet a parliament whose members are delegates or mouth-pieces of their constituencies, and not representatives with independent judgments, embodies a form of democracy which is sufficiently parallel with that of Athens to make it worth while to study the history of that state and the observations thereupon of so acute a critic as Aristotle.

This is not the place to discuss the conclusions which may be derived from it. Grote has drawn one series of judgments from it ; other critics have drawn others of a different character. The only point which concerns us here is that the evidence of Aristotle on such a matter is no unimportant addition to our knowledge of the subject.

This is a fact which will hardly be disputed, whether his work be regarded as a contribution to the lessons of political philosophy, or as an assistance to the reconstruction of the history of a country in which we are so deeply interested as Athens. It is true that we have already Herodotus, Thucydides, Xenophon, and Plutarch as authorities for the same period. But of these Thucydides alone is beyond suspicion, and it is precisely the years covered by his history that are of least importance to the work of Aristotle. Herodotus is brief and often unsatisfactory on the early history of Athens, and has little interest in purely political and constitutional details. Xenophon's accuracy is open to doubt, and his narrative is so incomplete as to admit of considerable supplementing, not to say correction. Plutarch's sources were of too various a quality to allow of his extremely valuable narratives being taken without reservation ; and one of the great advantages of the re-appearance of Aristotle's work is that it enables us to test in many points the accuracy of Plutarch's compilations. On the merits of Aristotle as an authority it is not necessary to dwell. His impartiality, his dispassionateness, his matter-of-fact statement of his materials, are as evident here as in any of his other works. He records facts creditable to the democracy and facts which tell against it with an equal air of desiring nothing but the truth. And indeed he occupied a position in which impartiality was not very difficult. The game of Athenian independence was over. Aristotle's own interests were in no way bound up with the credit or with the

success of any political party. He was able to stand aloof and calmly collect the facts of the past history of Athens just as impartially as when he was dealing with the Carthaginians or the Brahmins, with the rules of the syllogism or the structures of the animal creation.

Of the authorities used in his task he tells us little, almost nothing. It is certain that he was acquainted with both Herodotus and Thucydides. Herodotus he quotes by name (ch. 14); and in another passage he mentions, for the purpose of correction, a narrative which is identical with that of Thucydides (ch. 18). For the period of Solon he evidently used Solon's own writings, from which he makes considerable quotations. But for the rest there seems to be nothing to show what his sources were. Only, from the detailed way in which he describes the constitutions of Draco or of Cleisthenes, from the precise dates which are so frequently given in his narrative (which enable us to fix several events with an exactness hitherto impossible), it is clear that he did not rest upon tradition alone, but was making use of written records of some kind or another. Fortunately it is not of so much importance to identify his actual sources as in the case of such an author as Plutarch. Aristotle took care to sift his evidence for himself, instead of leaving it to be done by posterity, and when he clearly and positively states a fact his statement is not lightly to be put aside.

This Introduction is only the first word upon a subject on which the last word cannot be spoken for a long time. The whole work opens up possibilities of discussion in every direction, and raises questions which can only be settled by a consensus of opinion after they have been examined and considered by scholars of all countries. In the present edition the matter of most importance is the text, and every effort has been made to reproduce it as

accurately as possible. There remain not a few passages, however, which still require emendation by conjecture, in some of which the reading of the MS. is completely lost, while in others a few faint traces of letters remain which will serve as tests of the accuracy of any proposed restoration. For the rest, the notes represent a first attempt to estimate the bearing of the new material on the received versions of Athenian history.

The text has been divided into chapters for convenience of reference, but the beginnings of the original columns of the MS. are indicated in the margin. Square brackets have been used to mark words or letters which have been supplied where the MS. is illegible, and words which appear to have been accidentally omitted in the MS. are supplied between angular brackets. The few cases in which the reading of the MS. has not been followed in the text are recorded in the notes, while passages in which the MS. reading appears to be corrupt, but which have not been altered in the text, are marked by asterisks.

F. G. K.

ABBREVIATIONS IN USE IN THE MS.

ʒ = αι.	μ' = μεν.
α' = ἀνά.	μ' = μετά.
ㄣ = αὐτήν (col. 9, l. 8).	ο' = οὐν.
γ' = γάρ.	π' = παρά.
δ' = δε.	περί OR περ
διά.	σύν.
＼ = εἶναι.	τ' = την.
／ = εἰσι.	τ' = της.
// = εἰσι.	τ' = των.
θ' = θαι.	ν' = ίπέρ.
κ' = και.	ν' = ίπό.
κά.	ϟ = χρόνος.

Where the expanded word has not been accented in the above list, it is to be understood that the abbreviation is used for the syllable in question when it occurs as part of a word, as well as when it stands by itself or (in the case of prepositions) in composition : e.g. *αναγκ'ον*, *γεγενημόσ*.

In addition to these there are occasional abbreviations of the terminations of words : e.g. *στρατηγό* for *στρατηγός*, *μάχην* for *μάχην*, *γενέσθαι* for *γενέσθαι*. These are, however, rarely used, and present no difficulty.

It may be mentioned that in three cases accents are found in the MS., and in two cases breathings. *εκμαρτυρῶν* (col. 3, l. 9) and *νομοφυλακεῖν* (col. 3, l. 26) have circumflex accents, ă (col. 12, l. 3) has a rough breathing of an angular shape, and ՚γῶνται (col. 13, l. 11) has both rough breathing and circumflex accent. The first three cases occur in the first of the four hands in which the MS. is written ; the last is an addition to the second hand, presumably by the person who has corrected that hand throughout, *viz.* the writer of the first hand.

ERRATUM.

Page 66, line 9 from bottom, *for 378 B.C. read 478 B.C.*

ΑΡΙΣΤΟΤΕΛΟΤΣ ΑΘΗΝΑΙΩΝ ΠΟΛΙΤΕΙΑ.

I. . . . [Μ]ύρωνος καθ' ιερῶν ὁμόσαντες ἀριστίν-
δην. καταγνωσθέντος δὲ τοῦ ἄγο[υ]ς [νεκρ]οὶ μὲν

CH. I. The opening words evidently belong to a narrative of the revolutionary attempt of Cylon and its consequences. The date of this attempt has always been doubtful. We know from Herodotus (V. 71) that Cylon was an Olympic victor, and his victory is placed by Africanus in 640 B.C. It is also certain that his attempt was made in an Olympic year; but it has generally been assumed that it occurred after the legislation of Draco, whose date is given by Jerome as 621 B.C., and it is therefore usually placed in the chronologies at 620 or 616 B.C. The assumption is natural, from the way in which Plutarch (who certainly had Aristotle's work before him in writing his life of Solon) brings the attempt of Cylon into connection with the career of Solon, making the visit of Epimenides to purify the city occur only shortly before Solon's legislation and long after the career of the latter as a public man had begun. Plutarch does not, however, mention how long a time intervened between the slaughter of the accomplices of Cylon and the expiation effected by the expulsion of the Alcmaeonidae and the purification by Epimenides; and the present work makes it certain that the date of Cylon is anterior to that of Draco. This is probable on other grounds. The attempt of Cylon is spoken of as that of a young man, aided by companions of his own age (*προσποιησάμενος ἐταιρῆν τῶν ἡλικιωτέων*, Herod. I. c.); whereas a man who had won an Olympic victory in 640 B.C. would be a middle-aged man in 620 or 616 B.C. Moreover, according to Plutarch's own narrative (*Solon*, 12) it is clear that sufficient time had elapsed before the expulsion of the Alcmaeonidae for the party of Cylon, which had at the time been nearly exterminated, to recover strength and carry on a vigorous feud with its opponents. It is therefore probable that the

ἐκ τῶν τάφων ἐξεβλήθησαν, τὸ δὲ γένος αὐτῶν ἔφυγεν ἀειφυγίαν. [Ἐπι]μενίδης δὲ ὁ Κρῆς ἐπὶ τούτοις ἐκάθηρε τὴν πόλιν.

2. Μετὰ δὲ ταῦτα συνέβη στασιάσαι τούς τε γνωρίμους καὶ τὸ πλῆθος πολὺν χρόνον *τὸν δῆμον*. ἢν γὰρ . . . ἡ πολιτεία τ[οῖς μὲν] ἄλλοις ὀλιγαρχικὴ πᾶσι, καὶ δὴ καὶ ἐδούλευον οἱ πένητε[ς τοῖς] πλουσίοις καὶ

attempt of Cylon should be placed about the year 632 B. C., or 628 B. C. at the latest. Whether the date of the visit of Epimenides, which is assigned to about 596 B. C., should be altered is another matter. Aristotle in the present passage may very probably be merely carrying on the narrative of the rising of Cylon to its conclusion, and the words *μετὰ δὲ ταῦτα* which follow may easily refer to the attempt itself and not to the visit of Epimenides. Plutarch, with Aristotle before him, is not likely to have made so gross a mistake as to assign to the lifetime of Solon (with whom he states Epimenides to have associated freely) an event which occurred before the legislation of Draco. * The feud arising out of the *Κυλώνειον ἄγος* (the memories of which were still active in Greece at the period of the outbreak of the Peloponnesian war) had evidently lasted for a considerable time before the expulsion of the Alcmaeonidae; and it was not till some years after this that the visit of Epimenides took place.

Μύρωνος: Myron is mentioned by Plutarch as the accuser of the Alcmaeonidae at the trial to which Solon persuaded them to submit. The word *ἀριστίνδην* occurs in the same passage (*κριθῆναι τριακοσίων ἀριστίνδην δικαζόντων*), referring to the selection of the judges on that occasion.

καταγνωσθέντος: this has been corrected in the MS. to *καθαρθέντος*, but the tense and the context seem to make the original word preferable.

ἐκ τῶν τάφων ἐξεβλήθησαν: both Thucydides (I. 126) and Plutarch (I. c.) mention the disinterment of the bones of the members of the Alcmaeonid clan who had died since the affair of Cylon.

ἀειφυγίαν: cf. Plat. *Legg.* 877 C, *φευγέτω ἀειφυγίαν*.

Ἐπιμενίδης: cf. Plutarch, I. c.

2. *τὸν δῆμον*: these words are superfluous and are probably a gloss on *τὸ πλῆθος* which has crept into the text.

ἐδούλευον: in earlier times, according to Herodotus (VI. 137), there were no slaves (*οἰκέται*) in Attica; but he is speaking of the time when the Pelasgian community living under Hymettus was still independent. As at Rome, so in Attica, the pressure of debt very early brought the poorest class of the community into a position of serfdom, if not of slavery.

αὐτοὶ [καὶ τ]ὰς τέκνα καὶ αἱ γυναῖκες, καὶ ἐκαλοῦντο πελάται καὶ ἐκτημόροι· [ἐπὶ] ταύτης γὰρ τῆς μισθώσεως [εἰ]ργάζοντο τῶν πλουσίων τοὺς ἀγρούς. ή δὲ πᾶσα γῆ δι’ ὀλίγων ἦν καὶ [εἰ μὴ] τὰς μισθώσεις [ἀπ]οδιδοῖεν ἀγώγυμοι καὶ αὐτοὶ καὶ οἱ παῖδες ἐγίνοντο, κ[αὶ δεδεμένοι τοῖς δανείσ]ασιν ἐπὶ τοῖς σώμασιν ἥσαν μέχρι Σόλωνος· οὗτος δὲ πρῶτος ἐγένετο τοῦ δήμου προστάτης. χαλεπώτατον μὲν οὖν καὶ πικρότατον ἦν τοῖς πολλοῖς τῶν κατὰ τῆς πολιτείας [ἀρχῶν μὴ μετ]έχειν. οὐ μὴν ἀλλὰ καὶ ἐπὶ τοῖς ἄλλοις ἐδυσχέραινον· οὐδένος γάρ, ὡς εἰπεῖν, ἐτύγχανον μετέχοντες.

3. Ἡν δὲ ἡ τάξις τῆς ἀρχαίας πολιτείας τῆς πρὸ Δράκο[ντος τοιαύτη]. τὰς μὲν ἀρχὰς [τι]στασαν ἀριστίνδην καὶ πλουτίνδην· ἥρχον δὲ [τὸ] μὲν

πελάται καὶ ἐκτημόροι: Photius quotes Aristotle as his authority for the word πελάται, which he explains as οἱ μισθῷ δουλεύοντες, ἐπεὶ τὸ πέλας ἔγγύς, οἰον ἔγγυστα διὰ πενίαν προσιόντες, and again as οἱ παρὰ τοῖς πλησίον ἐργαζόμενοι· καὶ θῆτες οἱ αὐτοὶ καὶ ἐκτημόροι, ἐπειδὴ ἐκτρφ μέρει τῶν καρπῶν εἰργάζοντο τὴν γῆν. Cf. also Pollux III. 82, πελάται δὲ καὶ θῆτες. ἀλευθέρων ἐστιν ὄντα πενίαν ἐπ' ἀργυρῷ δουλευόντων and IV. 165, ἐκτημόροι, οἱ πελάται παρὰ τοὺς Ἀττικούς. ἐκτημόροι, not ἐκτημόροι, seems to be the proper form. πελάται is also used to represent the Latin *clientes* in Plut. *Rom.* 13 etc. Plutarch has drawn from this passage of Aristotle in his description of the state of things immediately before the legislation of Solon (*Sol.* 13). See Rose's *Fragmenta*, frag. 351.

• δεδεμένοι τοῖς δανείσασιν: the reading is largely conjectural, and the whole expression is rather unusual; but it will bear the sense required and is in accordance with the traces remaining visible in the MS. δεδεμένοι is moreover confirmed by the parallel expression at the end of ch. 4. For the phrase ἐπὶ τοῖς σώμασιν cf. Plutarch, *I. c.*

τοῦ δήμου προστάτης: this title, an echo from a later time, but still having a legitimate meaning as 'champion of the people,' is again applied to Solon, together with Pisistratus, Cleisthenes, and others, in ch. 28.

3. ἥρχον δὲ τὸ μὲν πρῶτον ἀεί: the reading of the MS. is somewhat doubtful, owing to the faintness of the writing, but enough remains to make the words given in the text nearly certain. The noticeable

πρῶ[τον] ἀ[εί], μετὰ δὲ ταῦτα [δεκα]ετίαν. μέγισται δὲ καὶ πρῶται τῶν ἀρχῶν ἡσαν βασιλεύς τε καὶ

point is the combination of the mention of *election* (*λορασαν δριστίνδην καὶ πλουτίνδην*) with the retention of office for life. This must refer to the period of the Medontidae, a period at present involved in great obscurity. It has been generally agreed that the stories told of the alterations in the constitution after the death of Codrus imply some limitation of the kingly power; and the present passage does something to elucidate the point. It is probably not the case (see the following note) that the title of king was abolished; but it seems certain that the powers of the king were considerably altered, and that for a hereditary and nearly autocratic monarchy was substituted an elective life-magistracy confined to the members of the kingly house, with whom were joined, in varying degrees of subordination, a Polemarch and an Archon. How this is to be reconciled with the tradition of the gratitude of the Athenians to Codrus is another matter; but we may perhaps connect with it the story of the dispute which arose as to the succession of the lame Medon and the consequent secession of a large body of emigrants who led the Ionian colonisation of Asia Minor. In them we may see the malcontents who were unwilling to accept the new régime; and even the 'lameness' of Medon may be only the traditional representation of the mutilated character of the monarchy enjoyed by him.

πρῶται τῶν ἀρχῶν: this account of the origin of the archon's office differs from that which has hitherto been generally accepted. In the absence of other evidence the legendary account has naturally been adopted, to the effect that the rule of the kings was followed first by that of the Medontidae, who held office for life but without the title of king, and perhaps with some limitation of authority, and then by decennial archons possessing the same powers but subject to the limit of time; and that this was again followed by the creation of a board of nine archons, who shared among them the powers of the single ruler. From the account of Aristotle it appears that the office of Polemarch dates back to the period of the kings, at which time, however, it would amount to no more than the position of a commander-in-chief under an unwarlike sovereign. The office of ἀρχῶν came into existence in the time either of Medon or of Acastus, *i.e.* at the beginning of the rule of the Medontidae. At this time, however, says Aristotle, the office was of comparatively little importance, and was inferior to both the βασιλεύς and the πολέμαρχος, and it was only at a later period that the ἀρχῶν took precedence of these magistrates. This throws some light on the constitutional change which took place after the death of Codrus. It would appear that in effect the rule of a board of three was substituted for that of a monarch, or at least that two other magistrates were elevated to positions which detracted considerably from the autocratic authority of the titular governor. It seems, how-

πολ]έμαρχος καὶ ἄρχων· τούτων δὲ πρ[ώτ]η μὲν ἡ τοῦ βασιλέως, αὐτὴ γὰρ ἐν [άρχῃ ἐγένετο, δευτέρα δὲ ἐπικατέστη [πολε]μαρχία διὰ τοῦ γι[ν]εσθαι τινας τῶν βασιλέων τὰ πολέμια μαλ[ακούς, ὅθεν καὶ τὸν Ἰωνα μετε[πέμ]ψαντο χρεία[ς κ]αταλαβούσης.

ever, that the old tradition that the name of king gave place to that of archon is inaccurate. There is other evidence tending to show that the title of *βασιλεὺς* still continued in use (cf. Abbott's *History of Greece*, I. 286, quoting Pausanias, I. iii. 3), and this passage of Aristotle makes it practically certain. The *βασιλεὺς* still continued to rule for life, but associated with him were the Polemarch and the Archon. There is no evidence to show how long the term of office was in their case, but it may be conjectured that they were magistrates elected for a term of years by and from the Eupatrid aristocracy. The term *ἄρεστος* used below may, no doubt, refer only to a later period; but if, as has been shown in the preceding note, the king himself was at this time elective, it is very probable that the inferior officers would be so also. Later, when the kingly rule was entirely abolished, the *ἄρχων* (who no doubt did not previously bear the title of *ἐπώνυμος*) took the first place in dignity; and hence, when Aristotle is dealing with the magistrates of his own day, the Archon takes precedence of the *βασιλεὺς* and the Polemarch (ch. 55). The abolition of the title of king as that of the chief magistrate of the state probably took place when the decennial system was established. The name was then retained only for sacrificial and similar reasons, and, to mark the fact that the kingly rule was actually at an end, the magistrate bearing the title was degraded to the second position, while the Archon, whose name naturally suggested itself as the best substitute for that of king, was promoted to the titular headship of the state. Dates would then be indicated by the year of the archon, as previously by the year of the reigning king; and when the office was made annual the Archon became in the full sense of the term *ἐπώνυμος*, the magistrate from whose name the year was called. The Thesmothetae, as Aristotle proceeds to state, only came into existence at this last-named period, after the abolition of the decennial system (682 B.C.).

Ἰων: according to the legend Ion, who was ruling over the Aegialeis, came to the assistance of his grandfather Erechtheus in his war with Eumolpus of Eleusis, and was made commander-in-chief of the Athenians. Herodotus alludes to it, and gives him the title of *στρατάρχης* (VIII. 44); and a scholiast on Aristophanes (*Birds* 1527) actually calls him Polemarch, πατρῷον δὲ τιμῶσιν Ἀπόλλωνα Ἀθηναῖον, ἐπειδὴ Ἰων ὁ πολέμαρχος Ἀθηναῖον ἐξ Ἀπόλλωνος καὶ Κρεούσης τῆς Σούθου [γυναικός] ἐγένετο.

τελευταία δ' ή [τοῦ ἄρχοντος· οἱ] μὲν γάρ πλείους [έπι] Μέδοντος, ἔνιοι δ' ἐπὶ Ἀκάστου φασὶ γενέσθαι [τὴν ἄρχην· σημεῖον] δ' ἐπιφέρουσιν [ὅτι] οἱ ἐννέα ἄρχοντες ὁμούουσι [καθάπερ] ἐπὶ Ἀκάστου [τῆς πόλεως ἄρχ]ειν, ὡς ἐπὶ τῆς ἐ[κείνου] βασιλείας παραχωρησάντων τῶν Κοδ[ριδῶν] . . . τῷ ἄρχοντι *δωρεῶν*. τοῦτο μὲν οὖν ὁποτέρως που ἔχει μικρόν, [καὶ ἐγένετο δὴ ἐν τούτοις τοῖς χρόνοις· ὅτι [δὲ] τελευταία τούτων ἐγένετο τῶν ἄρχων, [σημεῖον καὶ ρίων τὸν ἄρχοντα διοικεῖν ὥσπερ ὁ βασιλεὺς καὶ ὁ πολέμαρχος, ἀλλὰ διὸ καὶ νεωστὶ γέγονεν ἡ ἄρχη μεγάλη, τοῖς ἐπ[ι]θέτοις αὐξῆθ[εῖσα. θεσμοθέται δὲ πολλοὶ[ι]ς ὕστερον ἔτεσιν ἡρέθησαν, ἥδη κατ' ἐνιαυτὸν αἱρ[εθέντες ἐπὶ] τὰς ἄρχας, ὅπως ἀναγράψαντες τὰ θέσμια φυλάττωσι πρὸς τὴν τῶν [παρανομού]ντων κρίσιν· διὸ καὶ μόνη τῶν ἄρχων οὐκ ἐγένετο πλείων [ἢ] ἐνιαύσιος. [οὗτοι] μὲν οὖν [ἐσ] τοσοῦτον προέχουσιν ἄλλων. φέκησαν δ' οὐχ ἄμα πάντες οἱ ἐννέα

ἀλλὰ . . . : at the end of the hiatus the letters *era* or *eyα* are visible.

ἀναγράψαντες : hitherto, apparently, judicial decisions had not been recorded, and consequently there was no stability in the administration of justice. The Thesmothetae therefore received their name not merely from the fact that they made law by administering it (Thirlwall, II. 17: *Dict. Ant. art. Archon*), but from being the first to lay it down in written decisions. There was therefore some written basis of law before the time of Draco; but his legislation was no doubt required in order to give the archons fixed principles to work on and to secure uniformity of administration. Judges' law requires a substratum of fixed and codified law on which to work.

ἄλλων κ.τ.λ.: the MS. reading here is *αλλησησαν*, a corruption of which the reading given in the text seems the most probable correction.

φέκησαν κ.τ.λ.: cf. Suid. s. v. *ἄρχων*: πρὸ μὲν τῶν Σόλωνος νόμων οὐκ ἔξην αὐτοῖς ἄμα δικάζειν, ἀλλ' οἱ μὲν βασιλεὺς καθῆστο παρὰ τῷ καλουμένῳ Βουκολίᾳ τὸ δὲ ἦν πλησίον τοῦ Πρυτανείου· δὲ πολέμαρχος ἐν Δυκείφ, καὶ δ' ἄρχων παρὰ τοὺς ἐπωνύμους, καὶ οἱ θεσμοθέται παρὰ τὸ Θεσμοθετεῖον.

ἀρχοντες, ἀλλ' ὁ μὲν βασιλεὺς ε[ἰ]χε τὸ νῦν καλού-
μενον Βουκόλιον, πλησίον τοῦ Πρυτανείου (σημεῖον
δέ· ἔτι καὶ νῦν γὰρ τῆς τοῦ βασιλέως γυναικὸς ἡ
σύμμιξις ἐνταῦθα γίνεται τῷ Διονύσῳ καὶ ὁ γάμος),
ὁ δὲ ἄρχων τὸ Πρυτανεῖον, ὁ δὲ πολέμαρχος τὸ
Ἐπιλυκεῖον· ὁ πρότερον μὲν ἐκαλεῖτο Πολεμαρχεῖον,
ἐπεὶ δὲ Ἐπίλυκος ἀνφοδόμησε καὶ κατεσκεύασεν
αὐτὸ πόλεμα[ρχή]σας Ἐπιλυκεῖον ἐκλήθη· θεσμο-
θέται δὲ εἰχον τὸ Θεσμοθετεῖον. ἐπὶ δὲ Σόλωνος
ἄ[π]αντες εἰς τὸ Θεσμοθετεῖον συνῆλθον. κύριοι δὲ
ἡσαν καὶ τὰς δίκας αὐτοτελεῖς [κρίν]ειν, καὶ οὐχ

(Rose, ed. 1886, *Frag.* 413). The residence of the Archon is here described as *παρὰ τοὺς ἐπωνύμους*, whereas Aristotle says that he occupied the Prytaneum. The two accounts are not irreconcileable. The statues of the eponymous heroes stood close to the Prytaneum (Schol. Aristoph. *Pax* 1183, *τόπος παρὰ πρυτανείου ἐν φέστηκασιν ἀνδράντες οὓς ἐπωνύμους καλοῦσιν*), and if the Archon occupied a wing of the Prytaneum adjoining these statues both descriptions will be satisfied.

τῆς τοῦ βασιλέως γυναικός: the wife of the king-archon, who was called *βασιλιννα* or *βασιλισσα*, always went through the ceremony of marriage to the god Dionysus at the feast of the Anthesteria. Cf. Dem. *contr. Neaer.* c. 76, p. 1371.

τὸ Ἐπιλυκεῖον: it has generally been supposed that the Polemarch occupied the Lyceum, on the strength of the passage of Suidas quoted above. Hesychius, indeed, under the word *ἐπιλυκεῖον* describes it as the residence of the Polemarch; but this has generally been written as two words, *ἐπὶ λυκεῖον*, and explained in accordance with Suidas. The words of Aristotle, however, show that there was a separate building called the Epilyceum. It does not follow that his version of the origin of its name is correct, and the 'polemarch Epilucus' looks suspiciously like a traditional invention to account for the name. It is more probable that the building was in the neighbourhood of the Lyceum and derived its name from that fact.

κύριοι δὲ ἡσαν: cf. Suidas, *I. c.*, κύριοι τε ἡσαν δῶτε τὰς δίκας αὐτοτελεῖς ποιεῖσθαι, ὑπέρον δὲ Σόλωνος οὐδὲν ἔτερον αὐτοῖς τελεῖται ἡ μόνον ὑπο-
κρίνουσι τοὺς ἀντιδίκους. It is possible, in the light of this passage, that the verb here should be read as *ποιεῖν* instead of *κρίνειν*; but the active is less suitable for such a sense than the middle, and *κρίνειν* corresponds better with *προανακρίνειν*.

ὅσπερ νῦν προανάκρινειν. τὰ μὲν οὖν [περὶ] τὰς ἀρχὰς τούτου εἶχε τὸν τρόπον. ἡ δὲ τῶν Ἀρεοπαγειτῶν βουλὴ τὴν μὲν τάξιν εἶχε τοῦ διατηρεῖν

ἢ τῶν Ἀρεοπαγειτῶν βουλὴ: this passage is important, as bearing on the origin and early existence of the Areopagus. Plutarch (*Sol.* 19) mentions that most persons believed Solon to have been the founder of that council, but in disproof of this statement, quotes the fact that the Areopagus is referred to in one of Solon's own laws as already existing. The reference to it in the *Politics* as the oligarchical element in Solon's mixed constitution (*Pol.* ii. 12) is no argument against its preexistence; Solon made the constitution a mixed one by adding a democratical element to the oligarchical and aristocratical ones already existing. The present passage makes it clear that, in Aristotle's opinion, the Areopagus not only existed before Solon and before Draco, but that it was even at that time composed of those who had held the office of archon, and that it was in reality the central force in the administration. Its position appears, indeed, to be analogous to that of the senate in the best period of the Roman republic. It represented a governing aristocratical council, electing (as appears from an almost certain conjecture in ch. 8) the archons, who entered its body after serving their year of office; and its weight, as containing all the official experience of the state, must have given it at least as much influence over the annual magistrates who expected shortly to become members of it as the Roman senate held over the consuls. It seems entirely unnecessary to suppose that there was any other council in existence before the time of Draco. The court of 300 which tried the Alcmaeonidae in the case of Cylon was clearly a special court for a special purpose; and the council of the same number which Cleomenes and Isagoras attempted to set up in 508 B.C. was only a revolutionary substitute for the existing council of 400 (or of 500, if the reform of Cleisthenes had already been actually carried out, which seems improbable). At what time the method of recruiting the Areopagus from the ex-archons was adopted, or what was its character before that date, it is impossible to say with certainty; but common sense and analogy make it probable that originally it was a council of elders summoned by the king. It is not impossible that all heads of γένη may have had a traditional right to a summons, which would fix the total number at 360; but it is highly improbable that they had any absolute right, as such councils in early times almost always rested on the will of the sovereign. But when the monarchy was abolished there was no individual to whom the duty of nominating the governing council could fitly be entrusted, and the automatic process of forming it from all ex-archons was therefore probably put into operation from the date of the establishment of the annual

τοὺς νόμους, διώκει δὲ τὰ πλεῖστα καὶ τὰ μέγιστα τῶν ἐν τῇ πόλει, καὶ κολάζοντα καὶ ξημ[ιο]ῦσα πάντας τοὺς ἀκοσμοῦντας κυρίως. ή γὰρ αἴρεσις τῶν ἀρχόντων ἀριστίνδην καὶ πλουτίνδην ἦν, ἐξ ὧν οἱ Ἀρεοπαγεῖται καθίσταντο. διὸ καὶ μόνη τῶν ἀρχῶν αὕτη μεμένηκε διὰ βίου καὶ νῦν.

4. Ἡ μὲν οὖν πρώτη πολιτεία ταύτην ε[ἰ]χε τὴν ὑπο[γρα]φήν. μετὰ δὲ ταῦτα, χρόνου τινὸς οὐ πόλλου διελθόντος, ἐπ' Ἀρισταίχμου ἀρχοντος Δρά[κω]ν τοὺς θεσμοὺς ἔθηκεν· ή δὲ τάξις αὕτη τόνδε τὸν τρόπον εἶχε. ἀπεδέδοτο [ἡ] πολιτεία τοῖς ὅπλα παρεχομένοις·

archonships, though it would of course be many years before the council came to be composed solely of those who had served this office.

4. ἐπ' Ἀρισταίχμου ἀρχοντος: the name is not otherwise known. It is to be observed that Draco was not archon eponymus at the time of his legislative reforms, as has been commonly supposed. The phrase of Pausanias (IX. 36, 8) Δράκοντος Ἀθηναίοις θεσμοθετήσαντος may possibly indicate that he was one of the junior archons, though it is not necessary so to interpret the word.

ἀπεδέδοτο ἡ πολιτεία τοῖς ὅπλα παρεχομένοις: this passage throws a completely new light on the legislation of Draco, and shows that he was not merely a jurist but also a political reformer. It is, moreover, absolutely opposed to the statement in *Pol.* II. 12, that Draco made no change in the constitution (*πολιτείᾳ δὲ ὑπαρχούσῃ τοὺς νόμους ἔθηκε*), and makes it additionally certain that that chapter is not Aristotle's. The readings of the present passage are doubtful in several cases, but the general drift is clear. A certain share in the government was given to all persons capable of providing themselves with a military equipment, a definition which would probably include the first three of the so-called 'Solonian' classes (see below, where all three are mentioned as liable to fines for failure in public duties). It is probable, however, that this share was at first considerably limited. There was a property qualification for the various offices, differing in amount according to their importance; and this would secure the predominance of the wealthy classes in the higher posts. Moreover the poorest class, which was probably also the largest, had not even the *διναγκαιοτάτη δύναμις* which was afterwards assigned to it by Solon. On the other hand both the property classification (though not necessarily its employment for constitutional purposes, cf. note on *τιμῆματα*, ch. 7), and the creation

*γροῦντο δὲ τοὺς μὲν ἐννέα ἄρχοντας [καὶ τοὺς ταμίας
οὐσίαν κεκτημένους οὐκ ἐλάττω δέκα μνῶν ἐλευθέραν,*

of the Council of Four Hundred, which have hitherto been assigned to Solon on the direct evidence of Plutarch and others, are here declared to belong to the time of Draco ; and the latter, if not the former, was evidently his own creation. Moreover if the word *κληροῦσθαι* is to be used in its strict sense (and it is unlikely that Aristotle would use a technical word otherwise), the institution of the lot must also be assigned to Draco, though its employment was probably limited to the election of the new Council, and perhaps some other inferior offices. Aristotle does not say what the duties of the *βουλή* were. As the Ecclesia is mentioned below, the Council may already have had something of its later probouleutic functions ; but it is not likely that the Ecclesia had much important business entrusted to it yet. Perhaps the less important details of government and the management of elections were delegated to it, but it cannot have been intended to exercise any very important powers. The Areopagus, on the other hand, retained all its former authority, with powers of control over all the magistrates and a general right of revision of legal decisions on appeal. In short it still remained the central force in the state, and in this fact the gist of the Draconian constitution lies. With the introduction of several distinct steps in the direction of popularising the constitution, the balance of power is nevertheless unaltered. This explains the otherwise strange fact, that no other extant author has mentioned the legislation of Draco from any other point of view than the legal one, and that his position as a constitutional reformer was evidently forgotten in later times. The first definite shifting of the balance of power occurred under Solon, and consequently all the details which were worked into his system were ascribed to him, though some of them had actually come into existence twenty or thirty years before. Nevertheless it is strange that Plutarch, who certainly was acquainted with Aristotle's work, should have attributed the property qualification and the institution of the *βουλή* to Solon ; but perhaps in writing the biography of the latter he preferred to adopt the traditional account of his legislation.

It is further noticeable that Aristotle says nothing of the legal code which is the best-known work of Draco. No doubt the present treatise is primarily constitutional, not legal, and therefore reforms in judicial procedure and criminal law have no direct place in it ; but at the same time it is so far historical that one would have expected some allusion to facts so well known, and which have, moreover, some bearing on the transition from the autocratic to the popular method of government at Athens.

τοῖς ὅπλα παρεχομένοις : the same qualification was revived at the deposition of the Four Hundred in 411 B.C., and under this constitution

τὰς δ' ἄλλας ἀρχὰς ἐλάττους ἐκ τῶν ὅπλα παρεχ[ομέ- [Col. 2.]
νων], στρατηγοὺς δὲ καὶ ἵππαρχους οὐσίαν ἀποφαίνον-
τας οὐκ ἐλάττον' ἢ ἑκατὸν μνῶν ἐλευθέρων καὶ παῖδας
ἔ[κ] γαμετῆς γυναικὸς γυνησίους ὑπὲρ δέκα ἔτη γεγονό-
τας· τούτους δὲ δεῖ[ν εἰναι] τοὺς πρυτάνεις καὶ τοὺς
στρατηγοὺς καὶ τοὺς ἵππαρχους τοῦ γένους μέχρι^{τοῦ γένους} εὐθυνῶν τὰς δ' ἐκ τοῦ αὐτοῦ τέλους δεχομένους
οὐπερ οἱ στρατηγοὶ καὶ οἱ ἵππαρχοι. Βουλεύειν δὲ^{τοῦ γένους}
τετρακοσίους καὶ ἔνα τοὺς λαχόντας ἐκ τῆς πολιτείας·
κληροῦσθαι δὲ καὶ ταύτην καὶ [τὰ]s ἄλ[λας] ἀρχὰς

Thucydides affirms (VIII. 97) Athens to have enjoyed the best government within his memory; a favourable judgment which is repeated by Aristotle (*infra*, ch. 33).

ἀρχοντας: MS. *αρχοτες*, obviously a mere slip.

ἐλευθέρων: *i. e.* free of all encumbrances. The writing of the MS. in this and the following lines is very faint, but the readings are tolerably certain.

ἑκατὸν μνῶν: it seems extraordinary that the property qualification for a strategus should be 100 minae, while that for the archons was only 10 minae. It is possible that in these early times strategi were only elected when they were required, *i. e.* in case of war, and then no doubt it would be desirable to secure men of special competence. Moreover it might have been difficult to find enough persons possessing a qualification so high to provide nine archons a year; while the strategi, even if appointed yearly, would not have been more than four in number at the outside, one for each tribe. The number ten of course belongs only to the time after the reforms of Cleisthenes.

δεῖν: the first three letters of this word, which alone are visible, are a correction, the word originally written beginning with δι.

τετρακοσίους καὶ ἔνα: this addition of a single member in order to secure an uneven number in an assembly is paralleled by the *δικαιοσύνη* of later times, but was not retained by Solon in his reorganisation of the Council. Apparently under the Draconian system the members were selected by lot from the whole body of citizens (*ἐκ τῆς πολιτείας*), in which case the odd number presented no difficulty; whereas the Solonian Council was chosen equally from the four tribes.

καὶ τὰς ἄλλας ἀρχὰς: this cannot mean that all the magistrates were henceforth elected by lot, as we know that the archons were not so elected till a later period (*cf. infra*, ch. 22), and the same must certainly have been the case with the other more important offices. The passage

τοὺς ὑπὲρ τριάκοντα ἔτη γεγονότας, καὶ δὶς τὸν αὐτὸν μὴ ἄρχειν πρὸ τοῦ πάντ[as περι]ελθεῖν· τότε δὲ πάλ[ιν] ἐξ ὑπαρχῆς κληροῦν. εἰ δέ τις τῶν βουλευτῶν, δταν ἔδρα βουλῆς ἡ ἐκκλησίας ἦ, ἐκλείποι [τὴν σύν]ο-

merely means that the Council and those magistrates who were chosen by lot were chosen from persons of the stated age, *i.e.* over thirty.

τριάκοντα: MS. *τριακονθ*. It is probable that this limit of age continued in force in later times, though it is nowhere directly stated except as regards the members of the Council (Xen. *Mem.* I. 2. 35) and the dicasts (ch. 63 of this treatise, Poll. VIII. 122); but these instances in themselves make it probable that the same restriction applied to other magistracies, and the present passage tends to support this view. (*Cf.* Meier, *Att. Proc.* p. 204, Schömann, *Ant. Jur. Pub.* p. 238).

ἐκκλησίας: this is the first mention of the existence of this body, and raises the question as to its original character. It has been commonly supposed that it existed from the earliest times, and that it represented the general meetings which we find mentioned in the Homeric poems. It has further been held that it elected the officers of state and was consulted on questions of peace and war, and that reforms in a popular direction, such as the appointments of Draco and Solon to re-model the constitution, were due to its action (*cf.* Abbott, I. p. 301). As to the existence of some such body before the time of Draco, it may reasonably be argued that, were it otherwise, the institution of it would probably have been mentioned here, as that of the *βουλή* is. But it seems certain that it did not exist in any effective shape. The analogy of the English constitution may show that the primitive consultation of the tribal or national assembly may practically disappear, or be represented only by the summoning of a council of nobles, until the people acquires sufficient strength to demand an effective voice in the state. The discontent of the lower orders, necessitating some measure of reform to pacify them, finds its expression in early times in *στάσις*, rather than by constitutional means. It was *στάσις*, which needed no Ecclesia for its expression, which forced on the reforms of Draco and of Solon. Elections, as we know from ch. 8, were in the hands of the Areopagus. Even in the case of war there is no necessity to suppose the consultation of a popular assembly. The army was formed by contingents from the various tribal divisions, and the domination of the aristocracy was so great as to make it very unlikely that there would be any effective resistance from the people, except when extreme exasperation provoked a *στάσις*, and then no doubt the inability of the governing class to form an army in the case of a foreign attack or the revolt of a dependency was a powerful inducement to them to come to terms with the lower orders. There may, however, have been some gathering

δον, ἀπέτινον δὲ μὲν πεντακοσιομέδιμνος τρεῖς δραχ-
μάς, ὁ [δὲ ἵ]ππεὺς δύο, ζευγίτης δὲ μίαν. ἡ δὲ βουλὴ
ἡ ἐξ Ἀρείου πάγου φύλαξ ἦν τῶν νόμων καὶ διετηρ[ει
τὰ]ς ἀρχὰς ὅπως κατὰ τοὺς νόμους ἀρχωσιν. ἐξήν δὲ
τῷ ἀδικουμένῳ πρὸ[ς τὴν τῶν] Ἀρεοπαγεῖτ[ῶν] βου-
λὴν εἰσαγγέλλειν ἀποφαίνοντι παρ' ὃν ἀδικεῖται
νόμον. ἐπὶ δὲ τοῖς σώ[μα]σιν ἡσαν δεδεμένοι,
καθάπερ εἴρηται, καὶ ἡ χώρα δι' ὀλίγων ἦν.

5. Τοιαύτης δὲ τῆς τάξεως οὖσης ἐν τῇ πολιτείᾳ
καὶ τῶν [π]ολλῶν δουλευόντων τοῖς ὀλίγοις, ἀντέστη
τοῖς γνωρίμοις ὁ δῆμος. ἴσχυρᾶς δὲ τῆς στάσεως
οὖσης καὶ πολ[ὺν] χρόνον ἀντικαθημένων ἀλλήλοις
εἴλοντο κοινῆ διαλλακτὴν καὶ ἄρχοντα Σόλωνα, καὶ

of the people before military service known as an ecclesia, which will account for the omission to notice the creation of such a body by Draco; but it was Draco who took the first step towards making it an important part of the constitution. He made all persons capable of furnishing a military equipment members of it, and to them was apparently committed the election of the officers of state; and though it is not likely that any other business of real importance was delegated to it, and the Areopagus still retained the general direction of affairs, yet the Ecclesia was henceforth an integral portion of the state and capable of the development which was effected by Solon and subsequent statesmen.

ἀπέτινον κ.τ.λ.: fines for non-attendance at official duties are characteristic of the earlier part of Athenian history alone, as they naturally cease with the establishment of payment for attendance. As Boeckh (*Public Economy of the Athenians*, bk. III. ch. 12) shows, in the time of Solon the fines were usually very small; thus a person convicted of using abusive language in public was fined only five drachmas under the laws of Solon, whereas in later times the fine was 500 drachmas. In comparison with this scale a fine of one to three drachmas for missing a meeting of the Council or Assembly appears high.

ἐπὶ δὲ τοῖς σώμασιν ἡσαν δεδεμένοι: in this fact lies the explanation of the failure of Draco's legislation to remove the distress existing in Attica. Though a large class of persons who had hitherto had no part in the state were now admitted to a share in elections and a chance of service in certain posts, yet the labouring class were in no way touched by this reform, and their economical condition was in no way improved.

τ[ὴν πολι]τεῖ[α]ν ἐπέτρεψαν αὐτῷ ποιήσαντι τὴν ἐλεγείαν ἡς ἐστὶν ἀρχὴ

Γινώ[σκω], καὶ μοι φρενὸς ἔνδοθεν ἄλγεα κεῖται,
πρεσβυτάτην ἐσορῶν γαῖαν Ἰαονίας.

καὶ γὰρ ἐπήλαυνεν καὶ πρὸς ἑκατέρους ὑπὲρ ἑκατέρων
μάχεται καὶ διαμφισβητεῖ, καὶ μετὰ ταῦτα κοινῇ
[π]αραινεῖ [κατα]παύειν τὴν ἐνεστῶσαν φιλονικίαν.
ἢν δὲ ὁ Σόλων τῇ μὲν ρήσει καὶ τῇ δόξῃ τῶν πρώτων,
τ[ῇ δέ] οὐσίᾳ καὶ τοῖς πράγμασι τῶν μέσων, ὡς ἔκ τε

It was not until Solon had relieved them of their pecuniary burdens, and had admitted them to at least a slight control over the administration, till Cleisthenes and the reformers of the first half of the fifth century had made that control effective, till pay was given for public service, and the large increase of the slave class had relieved them of the greater part of the manual labour necessary in the country, that the democracy could become fully established. In the time of Draco, however, most of these changes would have been premature and impracticable; but one evil did call emphatically for remedy, namely the economical condition of the labouring class, and it was this which made the legislation of Solon necessary within a few years of the reforms of Draco.

5. ποιήσαντι τὴν ἐλεγείαν: in this part of his work Aristotle has preserved considerable fragments of the poetry of Solon. Many of them are already known through having been transferred by Plutarch to his life of Solon and through quotations in other authors. The couplet given here is, however, an addition to the remains previously extant. It appears to belong to the poem on the state of Athens of which a considerable portion is quoted by Demosthenes, *de Fals. Leg. c. 255*, pp. 421-3 (Bergk, *Frag. 3*). As there quoted, the beginning is clearly wanting. It may be noticed that the manner in which Aristotle tells the story seems to indicate that this political poem of Solon was the direct cause of his nomination as *διαλλακτής*, which may be so far true that the publication of it may have called attention to his patriotism and political moderation at the critical moment; but he was of course already a well-known citizen (*cf. infra*, τῇ δόξῃ τῶν πρώτων).

καὶ γὰρ ἐπήλαυνεν καὶ: the reading is very doubtful, with the exception of the first καὶ.

φιλονικίαν: corrected in the MS. from φιλοτιμίαν. The spelling of the MS. has been followed, as against the alternative form φιλονεικίαν. πράγμασι: *i. e.* 'position in life,' not 'ability in affairs.'

τῶν ἄλλων ὁμολογεῖται καὶ [αὐτὸς] ἐν τοῦτοι τοῖς ποιήμασιν μαρτυρεῖ, παραινῶν τοῖς πλουσίοις μὴ πλεονεκτεῖν.

Τμεῖς δὲ ἡσυχάσαντες ἐνὶ φρεσὶ κάρτερον ἦτορ,
οἱ πολλῶν ἀγαθῶν ἐσ κόρον ἀσατε, .
ἐν μετρίοισι τ[ρέφεσθ]ε μέγαν νόον· οῦτε γὰρ ἡμεῖς πεισόμεθ, οὐθὲ ὑμῖν ἄρτια τᾶ[λλ'] ἔσται.

καὶ ὅλως αἰεὶ τὴν αἰτίαν τῆς στάσεως ἀνάπτει τοῖς πλουσίοις· διὸ καὶ ἐν ἀρχῇ τῆς ἐλεγείας δεδοικέναι φησὶ τήν τε φ[ιλαργυρ]ίαν τήν τε ὑπερηφανίαν, ὡς διὰ ταῦτα τῆς ἔχθρας ἐνεστώ[σ]ης.

6. Κύριος δὲ γενόμενος τῶν πραγμ[άτ]ων Σόλων τόν τε δῆμον ἡλευθέρωσε καὶ ἐν τῷ παρόντι καὶ εἰς τὸ μέλλον, κωλύσας δ[ανεί]ζειν ἐπὶ τοῖς σώμασιν, καὶ νόμους ἔθηκε καὶ χρεῶν ἀ[πο]κοπὰς ἐπ[ο]ίησε καὶ τῶν ἴδιων καὶ τῶν δημοσίων, ἀς σεισάχθειαν καλοῦσιν, ὡς ἀποσεισάμενοι τὸ βάρος· ἐν οἷς πειρῶνται τι

6. *ἀς σεισάχθειαν καλοῦσιν*: MS. *σεισαχθια*; and the *s* of *ἀς* has been inserted above the line. Aristotle does not say much about this measure, which was not constitutional but economical in its character. If, however, any doubt remained as to whether it amounted to a clean sweep of all debts, Aristotle's express definition of it as *χρεῶν ἀποκοπάι* should remove it. It would even appear that it extended beyond debts secured on the land, since no limitation is expressed and public debts as well as private were included. It is hardly likely that debts to the state were secured by mortgage, since payment of such liabilities can seldom be deferred or allowed to fall into arrears. Probably, in dealing with the large number of obligations secured on the person or land of the debtor, Solon found it impossible to avoid touching the remaining class of debts, and was unable to annul the one without also annulling the other. As the usual security was evidently real property, it is probable that the amount of debts otherwise secured was comparatively small, so that the extension of the *χρεῶν ἀποκοπή* to all debts alike effected a great simplification of the measure without any considerable increase of hardship. In short, Solon's economical reform was a complete measure of *novae tabulae*.

ἀποσεισάμενοι: MS. *ἀποσισαμενοι*.

[καὶ] διαβάλλειν αὐτόν. συνέβη γὰρ τῷ Σόλωνι μέλλοντι ποιεῖν τὴν σεισάχ[θ]ειαν προειπεῖν τισὶ τῶν [γυν]ω[ρίμω]ν, ἔπειθ', ὡς μὲν οἱ δημοτικοὶ λέγουσι, παραστρατηγηθῆναι διὰ τῶν φίλων, ὡς δὲ οἱ [κεκτη]μένοι, βλασφημεῖν καὶ αὐτὸν κοινωνεῖν. δανεισάμενοι γὰρ οὗτοι συνεπρίαντο πολλὴν χώραν, [μετὰ δὲ] οὐ πολὺ τῆς τῶν χρεῶν ἀποκοπῆς γινομένης ἐπλούτουν· ὅθεν φασὶ γενέσθαι τοὺς ὑστερον δο[κο]ῦντας εἶναι παλαιοπλούτους. οὐ μὴν ἀλλὰ πιθ[ανώ]τερος [ό] τῶν δημοτικῶν λόγος· οὐ γὰρ [εἰκὸς ἐ]ν μὲν τοῖς ἄλλοις οὕτω μέτριον γενέσθαι καὶ κοινόν, [ἄμα] τ' ἔξον αὐτῷ [τοὺς] [νόμ]ους ὑποποιησάμενον τυραννεῖν τῆς πόλεως ἀμφοτέροις ἀπεχ[θάν]εσθαι καὶ περὶ πλείονος [ποι]ήσασθαι τὸ κα]λὸν καὶ τὴν τῆς πόλεως σωτηρίαν ἡ τὴν αὐτοῦ πλεονεξίαν, ἐν [οὗτ]ῷ δὲ μικροῖς [καὶ] ἀν[αξίο]ις καταρρυπαίν[ε]ιν ἔαυτόν. ὅτι δὲ ταύτην ἔσχε τὴν ἔξουσίαν τά τε πράγματα νοσοῦντα μετεκρούσατο, καὶ ἐν τοῖς ποιήμασιν αὐτὸς πολλαχοῦ μέμνηκε καὶ οἱ ἄλλοι συνομολογοῦσι πάν[τες]. ταύτην μὲν οὖν χρὴ νομίζειν ψευδῆ τὴν αἰτίαν εἶναι.

7. Πολιτείαν δὲ κατέστησε καὶ νόμους ἔθηκεν ἄλλους, τοῖς δὲ Δράκοντος θεσμοῖς ἐπαύσαντο χρώ-

συνέβη γὰρ κ.τ.λ.: this story of the profit made by the friends of Solon out of the *σισάχθεια* is also given by Plutarch, c. 15. Aristotle does not mention the circumstance which Plutarch adduces as having proved Solon's innocence of complicity in the transaction, viz. that he was himself a creditor to the extent of five talents, which he lost by his own measure. He rests his justification of Solon on his general character as proved by his whole career, especially his consistent refusal of the chance of making himself tyrant; this is a fact beyond question, while the story of the five talents may be apocryphal.

δανεισάμενοι: MS. δανισαμενοι.

μετεκρούσατο: a very doubtful reading.

μενοι πλὴν τῶν φονικῶν. ἀναγράψαντες δὲ τοὺς νόμους εἰς τοὺς κύρβεις ἔστησαν ἐν τῇ στοᾷ τῇ βασιλείῳ καὶ ὕμοσαν χρήσεσθαι πάντες· οἱ δὲ ἐννέα ἄρχοντες ὕμνυντες πρὸς τῷ λίθῳ κατεφάτιζον ἀναθήσειν· ἀνδριάντα χρυσοῦν ἐάν τινα παραβῶσι τῶν νόμων· ὅθεν ἔτι καὶ νῦν οὕτως ὕμνύουσι. κατεκύρωσε δὲ τοὺς νόμους εἰς ἑκατὸν [εἴ]τη καὶ διέταξε τὴν πολιτείαν τόνδε τρόπον. τιμήμα[τα δι]εῖλεν εἰς τέτταρα

7. ἀναγράψαντες δὲ . . . τῇ βασιλείῳ: this is the first passage (out of very many) which directly proves the present treatise to be Aristotle's 'Αθηναίων Πολιτεία, these words being given by Harpocration (s. v. κύρβεις) as a quotation from that work. Plutarch also (Sol. 25) and the scholiast on Aristophanes' *Birds* 1354 refer to Aristotle for the word κύρβεις (cf. Rose, *Frag.* 352).

ὕμνυντες κ.τ.λ.: Plutarch (*l. c.*) paraphrases this passage, ὕμνυεν . . . ἑκαστος τῶν θεσμοθετῶν ἐν ἀγορᾷ πρὸς τῷ λίθῳ, καταφατίζων, εἰ τι παραβαίνει τῶν θεσμῶν, ἀνδριάντα χρυσοῦν ἴσομέτρητον ἀναθήσειν ἐν Δελφοῖς.

τιμήματα κ.τ.λ.: the question raised by the present passage is a difficult one. Hitherto there has been no manner of doubt that the well-known property qualification described in it was established by Solon. Harpocration (s. v. Ἰππάς) quotes the present work thus, 'Αριστοτέλης δ' ἐν 'Αθηναίων πολιτείᾳ φησιν ὅτι Σόλων εἰς τέτταρα διεῖλε τέλη τὸ πάντα πλῆθος 'Αθηναίων, πεντακοσιομέδιμνους καὶ Ἰππέας καὶ ζευγίτας καὶ θῆτας, and again (s. v. πεντακοσιομέδιμνον), ὅτι δὲ τέλη ἐποίησεν 'Αθηναίων ἀπάντων Σόλων . . . δεδήλωκεν 'Αριστοτέλης ἐν 'Αθηναίων πολιτείᾳ (Rose, *Frag.* 350). Plutarch (Sol. 18) ascribes the system expressly to Solon. In the second book of the *Politics* (c. 12) Solon is mentioned in connection with the four property classes, but it is not definitely asserted that he was the originator of them. If the present passage stood alone, one would be strongly inclined to suppose the words καθάπερ διῆρητο καὶ πρότερον to be an interpolation; but it is supported by the statement above (ch. 4) that the members of the first three classes incurred certain fines for non-attendance to political duties under the Draconian constitution, and that passage it seems impossible to explain except on the supposition of the existence of these classes before the time of Solon. The statements of Aristotle here can only be reconciled with the general ascription of the classes in question to Solon, by supposing that the latter brought them into a relation with the political constitution which they had never held before. In the first place it may be noticed that Solon began his reforms by repealing all of Draco's laws except those relating to murder. This includes the

τέλη, καθάπερ διῆρητο καὶ πρότερον, εἰς πεντακοσιο-
μ[έδιμ]ν[ον καὶ ἵππεα] καὶ ζευγίτην καὶ θῆτα. τὰς

laws settling the political constitution, and as no written laws existed previous to those of Draco, it means that Solon made a clean sweep of all the laws relating to the constitution, so as to have a free hand in re-constructing it according to his own ideas. He then re-introduced the property classes, as well as the Council of Four Hundred and the Areopagus ; and thus the earliest laws which were known in later times in Athens establishing these parts of the constitution were those of Solon. The period between Solon and Draco was short, and it is not surprising that all memory of the pre-existence of the two first-named items should have been lost, in face of the fact that the existing laws on which they rested were laws of Solon. The Areopagus dated too far back and had held too large a place in the early history of Athens to share the same fate entirely ; yet even in its case an error of the same kind was propagated, and in the time of Plutarch it was the belief of the majority that it too had been created by Solon, a belief which he refutes on sufficient evidence (*Sol.* 19) and which was certainly erroneous. In addition to this, Solon made the property qualification more directly a part of the constitution than it was before ; for whereas under Draco's laws the definition of a person having a right to some share in the franchise was that he was *τῶν ὅπλα παρεχομένων*, in the Solonian constitution it was that he was a member of one or other of the four classes. There is nothing to show that the division into property classes had any connection with the political franchise or eligibility to office before the time of Solon. The mention of it above in the constitution of Draco speaks of it as used for differentiating the amounts of the fines due for neglect of public duties, and it may reasonably be supposed to have been employed for purposes of taxation as well ; but Solon was probably the first to employ this classification as a basis for the political organisation of the state. Before his time none but the members of the old Eupatrid aristocracy had any important share in the government ; and hence Solon was rightly regarded in after times as the reformer who substituted the qualification of property for the qualification of birth, while the fact that the property classification had existed previously for other purposes was forgotten. The only real difficulty arises from the direct citation of Aristotle by Harpocration, and this may be due either to careless quotation or to a disbelief of Aristotle's authority with reference to the pre-existence of these classes. It is also possible that the words *καθάπερ διῆρητο καὶ πρότερον* may be an interpolation due to some one who noticed the mention of the property classes in the description of the Draconian constitution, so that while the fact of the pre-existence remains the same, the mention of it in this particular sentence would disappear.

μ[ἐν οδ]ν ἀρχὰς ἀπένειμεν ἀρχειν ἐκ πεντακοσιομε- [Col. 3.]
 δίμινων καὶ ἵππεων καὶ ζευγιτῶν, τοὺς ἐννέα ἀρχον-
 τας καὶ τοὺς ταμίας καὶ τοὺς πωλη[τὰς] καὶ τοὺς
 ἔνδεκα καὶ τοὺς κωλακρέτας, ἐκάστοις ἀνάλογον τῷ
 μεγέθει τοῦ τιμ[ή]μ[ατο]ς ἀποδίδους τ[ὴν ἀρ]χήν.
 τοῖς δὲ τὸ θητικὸν τελοῦσιν ἐκκλησίας καὶ δικασ-
 τηρίων μετέδωκε μόνον. ἔδει δὲ τελεῖν πεντακοσιομέ-
 διμνον μὲν ὃς ἀν ἐκ τῆς οἰκείας ποιῆ πεντακόσια
 μέτρα τὰ συνάμφω ξηρὰ καὶ υγρά, ἵππαδα δὲ τοὺς
 τριακόσια ποιοῦντας, ὡς δὲ ἔνιοι φασι τοὺς ἵπποτρο-
 φεῖν δυναμένους. σημεῖον δὲ φέρουσι τό τε ὄνομα
 το[ῦ] τέλους, ὡς ἀν ἀπὸ τοῦ πράγ[μ]ατος κείμενον,

This would relieve Harpocration from the charge of inaccurate or garbled quotation; but in view of the fact that the MS. is certainly much earlier than the date of Harpocration this does not seem to be a very safe explanation.

ἀπένειμεν ἀρχειν: the latter part of this sentence explains the first. It does not mean that members of the first three classes were eligible to all the offices named, as is clear from the statement a little lower down that the *ταμίαι* were elected from the first class alone, which it is practically certain was also the case with the archons (cf. Plutarch, *Arist.* 1). The offices mentioned were filled from the first three classes, but some of them were filled from one class and others from another, ἐκάστοις ἀνάλογον τῷ μεγέθει τοῦ τιμήματος ἀποδίδους τὴν ἀρχήν. The highest offices were open to the first class alone, the lower to the others as well.

τοῖς δὲ τὸ θητικὸν τελοῦσιν ἐκκλησίας καὶ δικαστηρίων μετέδωκε μόνον: this corresponds with the ἀναγκαιοτάτη δύναμις which Solon is said in *Pol.* II. 12 to have given to the lowest class, τὸ τὰς ἀρχὰς αἱρεῖσθαι καὶ εὐθύνειν. This was the most distinctively democratic innovation introduced by Solon, and in virtue of it he was rightly regarded in subsequent times as the founder of the democracy of Athens. He was not the first to shake the ascendancy of the Eupatrid oligarchy. That was the work of Draco; but Solon was the first to remove all considerations of birth from the political constitution, and to give the labouring classes a share in political power.

ὡς δὲ ἔνιοι φασι: no doubt the two standards are really the same. An income of 300 medimni was fixed as representing that on which a man could equip and maintain a mounted soldier.

καὶ τὰ ἀναθήματα τῶν ἀρχαίων ἀνάκειται γὰρ ἐν ἀκροπόλει εἰκὼν Διφίλου ἐ[φ' φ' ἐπ]ιγέγραπται τάδε·

Διφίλου Ἀνθεμίων τήνδ' ἀνέθηκε θεοῖς·

θητικοῦ ἀντὶ τέλους ἵππαδ' ἀμειψάμενος.

καὶ παρέστηκεν ἵππος ἐκμαρτυρῶν *ώς τὴν ἵππάδα τοῦτο σημα[ι]νοῦσ[α]ν.* οὐ μὴν ἀλλ' εὐλογώτερον τοῖς μέτροις διήρησθαι καθάπερ τοὺς πεντακοσιομεδίμνους. ζευγίσιον δὲ τελεῖν τοὺς διακόσια τὰ συνάμφω ποιοῦντας τοὺς δὲ ἄλλους θητικούς, οὐδὲ μιᾶς μετέχοντας ἀρχῆς. διὸ καὶ νῦν ἐπειδὰν ἔρηται

εἰκὼν Διφίλου: this statue is also referred to, and the inscription upon it quoted, by Pollux (VIII. 131). The MSS. of the latter give the first line as Διφίλου Ἀνθεμίων ἵππον τόνδ' ἀνέθηκε θεοῖς, excepting one which agrees with the present text with merely the substitution of τόνδ' for τήνδ'. The editors and commentators have either taken the name Διφίλου out of the line, attaching it to the word ἵππαραμμα which precedes it, or else have emended it into a hexameter, Διφίλου Ἀνθεμίων τόνδ' ἵππον θεοῖς ἀνέθηκε. The present text probably gives the real reading of the inscription, as two pentameters, the corruption of most of the MSS. of Pollux being explained by the intrusion into the line of the gloss ἵππον.

ώς τὴν ἵππάδα κ.τ.λ.: there seems to be some corruption in the text. The sense is clear, and perhaps we should read ώς τὴν ἵππάδα τοῦτο σημαίνει.

μέτροις: MS. μετρίοις.

διακόσια: this confirms the usual statement as to the property qualification of the *Zeugitai*, as against Boeckh (P. E. IV. 5), who holds it to have been 150 medimni, on the strength of a law quoted by Demosthenes (*Contr. Macart.* pp. 1067, 1068), in which the dowry which a man of one of the three upper classes was bound to give to a relative in the lowest who was heiress to her deceased father (*ἐπικληρος*) was fixed, if he was a pentacosiomedimnus at 500 drachmas, if he was a knight at 300 drachmas (in each case the equivalent of a minimum year's income for the class), and if he was a *zeugites* at 150 drachmas, which Boeckh argues must equally represent the minimum income (a medimnus being valued at a drachma in Solon's system) of the third class. But this is too slight a basis on which to construct a refutation of all the ancient writers who mention the subject, to whom is now added the great authority of Aristotle.

διὸ καὶ νῦν κ.τ.λ.: this is interesting, as showing that the property

τὸν μέλλοντὰ κληροῦσθαι τιν' ἀρχὴν ποίου τέλος τελεῖ, οὐδὲ ἀν εἰς εἴποι θητικόν.

8. Τὰς δ' ἀρχὰς ἐποίησε κληρωτὰς ἐκ προκρίτων, [ο]ὓς [έκαστ]η προκρίνει τῶν φυλῶν. προύκρινεν

qualification can never have been entirely abolished by law. The date of the final extension of eligibility to the archonship belongs to the period between the Persian and Peloponnesian wars, the Ζευγίται being made eligible in 457 B. C. (see ch. 26 and note there). Whether there was any partial extension previously to this there is no evidence to show ; but the final extension can only have taken the form of throwing open the office to all possessed of the lowest qualification, that of a Ζευγίτης, while by a legal fiction even a person who did not come up to that standard was allowed to represent himself as possessing the required qualification. A partial parallel may be found in the notorious evasion of the law of property qualification for a member of the English parliament previous to 1858.

8. Τὰς δ' ἀρχὰς : MS. της δ' αρχῆς.

κληρωτὰς ἐκ προκρίτων : this passage is at variance with the ordinary belief as to the manner of election to the archonship in the sixth century. It has been supposed, as common sense suggested in the absence of direct evidence, that until the lot was introduced about the time of the Persian wars the archons were directly elected, whether by the people or in whatever manner prevailed in earlier times. It is now certain (*cf. infra*) that in early times (presumably until the constitution of Draco, by whom the election was apparently given to the ecclesia) the archons were directly elected to their offices by the Areopagus ; but that when Solon introduced the people to political power a combined process of selection and sortition was devised. The four tribes elected ten candidates each, and from the forty persons thus designated the nine required officers were chosen by lot. With this passage may be compared the statement of Demosthenes (*Contr. Neer.* p. 1370), τὸν μὲν βασιλέα . . . δ δῆμος ἔρειτο ἐκ προκρίτων κατ' ἀνδραγαθίαν χειροτονῶν. Demosthenes refers this system to the time of Theseus, which is plainly impossible ; but it may be a recollection of the state of things under the Solonian constitution. The only discrepancy with the passage of Aristotle lies in the word χειροτονῶν : for whereas Aristotle represents the second stage of the election as conducted by the lot, Demosthenes regards both processes as selective. On *a priori* grounds the version of Demosthenes would be preferable, and it accords with the general view that the lot was not introduced for any purpose before the time of Cleisthenes at the earliest. On the other hand the orators, who are notoriously inaccurate in their history, are not to be compared with Aristotle as an authority, especially as the latter quotes a proof

δ', εἰς τοὺς ἐννέα ἀρχοντας ἐκάστη δέκα, καὶ τού[τους
ἐκλήγ]ρουν· ὅθεν ἔτι διαμένει ταῖς φυλαῖς τὸ δέκα
κληροῦν ἐκάστην, εἰτ' ἐκ τούτων κυαμεύε[ιν]. σημεῖον
δ' ὅτι κληρωτὰς ἐποίησαν ἐκ τῶν τιμημάτων ὁ περὶ τῶν
ταμιῶν νόμος φῶ χρώμενοι [διατελο]ῦσιν ἔτι καὶ νῦν
κελεύει γὰρ κληροῦν τοὺς ταμίας ἐκ πεντακοσιομε-
δίμνω[ν]. Σόλ]ων μὲν οὖν οὗτως ἐνομοθέτησεν περὶ τῶν
ἐννέα ἀρχόντων. τὸ γὰρ ἀρχαῖον ἡ ἐν Ἀρ[είῳ πάγῳ

of his statement from the practice of his own day. Isocrates has a passage on the subject (*Areop.* c. 24, Bekk. p. 144), οὐκ ἐξ ἀπάντων τὰς ἀρχὰς κληροῦντες, ἀλλὰ τοὺς βελτίστους καὶ τοὺς ἱκανωτάτους ἐφ' ἐκαστον τῶν ἔργων προκρίνοντες, but he makes no clear distinction between the constitutions of Solon and of Cleisthenes, and is too vague to be of much use in an argument. In any case the Solonian system was not of long duration; for even in the years which intervened between its establishment and its abrogation by the tyranny of Pisistratus we find that there were several disturbances to the normal process of election. On the changes subsequently introduced, see below, ch. 22, and note.

It must be observed that the present passage, in ascribing this system of election to Solon, is not consistent with the statement in the *Politics* (II. 12) that Solon made no change in the election of magistrates. This however is not the first contradiction that we have found between that chapter and this treatise, and it has already been noticed that the chapter in the *Politics* is of doubtful authenticity (cf. note on ch. 4, ἀπεδέδοτο κ.τ.λ.).

κληροῦν . . . κυαμεύειν: there is no difference in meaning between these words, both being regularly used of election by lot, as opposed to χειροτονεῖν or αἱρεῖσθαι. The difference between the earlier and the later practice was that at first the tribes elected their ten candidates apiece by deliberate choice, and the lot was only put into operation between the forty individuals thus nominated; whereas afterwards the lot was employed in both stages of the election.

ἡ ἐν Ἀρείῳ πάγῳ βουλή: cf. note on ch. 3, *ad fin.* This direct statement by Aristotle is of great value, as confirming what might have been independently conjectured from the preceding account of the early importance of the Areopagus, though historians have hitherto been shy of making any definite assertion as to the election of magistrates in the times preceding Solon. At first sight it appears to contradict the statement in ch. 4, that οἱ ὅπλα παρεχόμενοι (i.e. the ecclesia) elected the archons and other magistrates under the constitution of Draco. Aristotle's phrase τὸ ἀρχαῖον, however, does not necessarily imply that

βουλ]η ἀνακαλεσαμένη καὶ κρίνασσα καθ' αὐτὴν τὸν ἐπιτήδειον ἐφ' ἐκάστη τῶν ἀρχῶν [ἐπ' ἐνιαυτὸν διατάξα]σα ἀπέστελλεν. φυλαὶ δὲ ἡσαν δὲ καθάπερ πρότερον καὶ φυλοβασιλεῖς τέσσαρες. ἐκ δὲ [τῆς φυλῆς ἐκ]άστης ἡσαν νενεμήμεναι τριττύες μὲν τρεῖς, ναυκραρίαι δὲ δώδεκα καθ' ἐκάστην. [ἢν δὲ τῶν] ναυκραριῶν ἀρχὴ καθεστηκοῦα ναύκραροι, τεταγμένη

the election of officers by the Areopagus lasted up to the time of Solon. It probably occurred to him that he had not mentioned the primitive method of election in the previous part of his work, and he therefore inserted it here. Draco's reforms took the election from the Areopagus and gave it to the persons qualified to sit in his ecclesia. Solon threw open the ecclesia to a much wider circle, and thereupon introduced the double process of election by vote and lot described in this chapter.

ἐπ' ἐνιαυτὸν διατάξασα: the writing of the MS. is almost entirely obliterated, but the remains which are visible are in accordance with the reading here proposed.

φυλαὶ δὲ ἡσαν . . . καθ' ἐκάστην: quoted by Photius, *s. v. ναυκραρία*, who prefaces his quotation with the words, *ἐκ τῆς Ἀριστοτέλους πολιτείας, δι τρόπου διέταξε τὴν πόλιν ὁ Σόλων* (Rose, *Frag.* 349).

ναυκραρίαι: MS. ναυκραρίαι.

καθ' ἐκάστην: *sc.* φυλὴν.

ναύκραροι: MS. ναυκραροι. This passage does not do much to clear up the obscurity which surrounds the question of the *ναύκραροι*. Photius (*J. c.*) ascribes the invention of the name to Solon (*Σόλωνος οὕτως ὀνομάσαντος, ὡς καὶ Ἀριστοτέλης φησίν*), but the reference to Aristotle, if correct, must be to some other passage than the present. Probably, however, he does refer to this passage, assuming from the mention of the Naucraries here that Aristotle intended to ascribe their origin, and therefore their name, to Solon. It is not clear that this was Aristotle's intention. It appears rather that he expressly avoids doing so; for having stated that the four tribes existed previously, he proceeds to say that those tribes were subdivided into Trittyes and Naucraries, whereas in speaking elsewhere of the institutions of Solon he always attributes them to him directly (*τὰς ἀρχὰς ἐποίησε κλήρωτας . . . οὕτως ἐνομοθέτησεν . . . βουλὴν δὲ ἐποίησε*). It is moreover certain from Herodotus (V. 71) that these subdivisions of the tribes existed from much earlier days. The Naucraries were evidently the units of local administration, as the demes became subsequently; and we learn from the present passage that their principal duty was financial. Thus Hesychius describes them (*s. v. ναύκλαροι*) as *οἵτινες δέ τοι ἐκάστης χόρας τὰς εἰσφορὰς εἰσέλεγον*, and Pollux (VIII. 108), *τὰς δὲ εἰσφορὰς τὰς κατὰ*

πρός τε τὰς εἰσφορὰς καὶ τὰς δαπάνας τὰς γινομένας· διὸ καὶ ἐν τοῖς νόμοις τοῦ[ς Σ]όλωνος οἷς οὐκέτι χρῶνται (οἷον [εἰκὸς] γέ) γραπται τοὺς ναυκράρους εἰσπράττειν καὶ ἀναλίσκειν ἐκ τοῦ ναυκραρικοῦ ἀργυρίου. Βουλὴν δὲ ἐποίησε τετρακοσίον[υς], ἐκατὸν ἐξ ἑκάστης φυλῆς, τὴν δὲ τῶν Ἀρεοπαγειτῶν ἔταξεν ἐ[τὶ] νομοφυλακεῖν, ὥσπερ ὑπῆρχεν καὶ πρότερον ἐπίσκοπος ο[ὗ]σα τῆς πολιτείας ἐστάτη ταῦτα, καὶ τὰ πλεῖστα καὶ τὰ μέγιστα τῶν πολιτῶν διετήρει καὶ τοὺς ἀμαρτάνοντας ηὔθυνεν κυρί[α] οὐδ[σα τοῦ ζῆ]μι- [οῦν] καὶ κολάζειν, καὶ τὰς ἐκτίσεις ἀνέφερεν εἰς

δήμους διεχειροτόνουν οὗτοι καὶ τὰ ἐξ αὐτῶν ἀναλόματα, adding also ναυκραρία δὲ ἑκάστη δύο ἵππεας παρέχει καὶ ναῦν μίαν, ἀφ' ἣς ἵστως ἀνόμαστο (Rpse, *Frag.* 349). The quotation which Aristotle proceeds to make from the law of Solon shows that the ναύκραροι, who were the governors of each division, had the duty of collecting and administering certain funds within their own districts. Aristotle does not mention the πρυτάνεις τῶν ναυκράρων whom Herodotus (*I. c.*) states to have been the magistrates at the head of affairs in Athens at the time of the conspiracy of Cylon; but it is probable that they were a central committee, whose number we do not know, on which the forty-eight ναύκραροι served in turn, and who had the general administration of the finances, subject no doubt to the supervision of the Areopagus. As to the statement that they at any time managed affairs in Athens, it is clear that (in the absence of the first part of the present treatise, which might have thrown some light upon the subject) the counter-statement of Thucydides (*I. 126*), who must be deliberately correcting his predecessor, deserves greater credence; and the way in which the office is here spoken of seems to imply that Aristotle has not mentioned it already in the now missing part of his work.

Βουλὴν: this is the same assembly as that established by Draco, with the exception that the one additional member is omitted (*cf.* note on ch. 4). Its origin has hitherto been universally ascribed to Solon, by Plutarch among others (*c. 19*, δευτέραν προσκατένειμε βουλὴν); but *cf.* note on ch. 7, τιμῆματα κ.τ.λ.

ἐστάτη... πλεῖστα: the writing of the MS. is very faint, and the readings consequently doubtful. *Cf.* ch. 3, διφέκει δὲ τὰ πλεῖστα καὶ τὰ μέγιστα τῶν ἐν τῇ πόλει, καὶ κολάζουσα καὶ ζημιούσα πάντας τοὺς ἀκομοῦντας κυρίως.

πόλιν οὐκ ἐπιγράφουσα τὴν πρόφασιν τοῦ κολάζ]-εσθαι, καὶ τοὺς ἐπὶ καταλύσει τοῦ δήμου συν[ι]στα-μένους ἔκρινεν, Σόλωνος θεν[τός]. ὁ μὲν [οὖν ταῦτ' ἔταξε] περὶ αὐτῶν. ὄρων δὲ τὴν μὲν πόλιν πολλάκις στασιάζουσαν, τῶν δὲ πολιτῶν ἐνίους δ[ιὰ] τὴν ῥᾳθυμ[ία]ν [ἀποστά]υτας τὸ αὐτόματον νόμου ἔθηκε πρὸς αὐτοὺς ἴδιον, ὃς ἀν στασιαζούσης τῆς πόλ[εω]ς μ[ὴ] αἴρηται τὰ ὅπλα μηδὲ μεθ' ἐτέρων, ἄτιμον εἶναι καὶ τῆς πόλεως μὴ μετέχειν.

9. Τὰ μὲν οὖν [περὶ τὰ]ς ἀρχὰς τ[οῦτον]ον [εἰχ]ε τὸν τρόπον. δοκεῖ δὲ τῆς Σόλωνος πολιτείας τρία ταῦτ' εἶναι τὰ δημοτικώτατα, πρῶτον μὲν καὶ μέγιστον τὸ

πολλάκις: M.S. πολλακί. It is not likely that a poetical form was used by Aristotle, and the omission of the *s* is easily explained by the next word beginning with the same letter.

νόμον ἔθηκε: this passage is quoted and amplified by Aulus Gellius (II. 12): 'In legibus Solonis . . . legem esse Aristoteles refert scriptam ad hanc sententiam, "si ob discordiam dissensionemque seditio atque discessio populi in duas partes fiet et ob eam causam irritatis animis utrimque arma capientur pugnabiturque, tum qui in eo tempore in eoque casu civilis discordiae non alterutra parte sese adiunixerit, sed solitarius separatusque a communi malo civitatis secesserit, is domo patria fortunisque omnibus careto, exul extorrisque esto.'" This laborious amplification, which adds nothing to the direct simplicity of Solon's original law, must be the work of a scientific jurist of a late period, perhaps Gellius himself. Plutarch also (c. 20) refers to this law, which he calls *ἴδιος μάλιστα καὶ παράδοξος*. Cf. Rose, *Frag.* 353.

9. τρία τὰ δημοτικώτατα: in *Pol.* II. 12 the summary of the Solonian constitution is that it gave to the lower classes the necessary minimum of political power, viz. the election of magistrates and the power of calling them to account. In the present passage the first of these points (which was not due primarily to Solon, as appears from ch. 4) is passed over, but much stress is laid upon the other, which was in fact the hinge of the Athenian constitution. The constitutions of different countries have each had their one decisive fact, which may not have been the one possessing most legal prominence, but which nevertheless has guided the course of the political development of the country. In England this decisive fact has been the control of the Commons over financial supplies, which has always been the lever

μὴ δανείζειν ἐπὶ τοῖς σώμασιν, ἔπειτα τὸ ἔξειναι τῷ βουλομένῳ [δικάξεσθαι] ὑπὲρ τῶν ἀδικουμένων, τρίτον δὲ (<ἢ> μάλιστά φασιν ἵσχυκέναι τὸ πλῆθος) ἡ εἰς τὸ δικ[αστήριον] ἔφ[εσι]ς· κύριος γὰρ ὁν ὁ δῆμος τῆς ψήφου κύριος γίνεται τῆς πολιτείας, ἔτι δὲ καὶ διὰ τὸ μὴ γέγρ[α]φθ[αι το]ὺς νόμους ἀπλῶς μηδὲ σαφῶς, ἀλλ' ὕσπερ ὁ περὶ τῶν κλήρων καὶ ἐπικλήρων, ἀν[άγ]κη[η ἡν] τὰς ἀμφισβητήσεις γίνεσθαι καὶ πάντα βραβεύειν καὶ τὰ κοινὰ καὶ τὰ ἴδια τὰ δικα[στ]ήρ[ια]. οἴονται μὲν οὖν τινὲς ἐπίτηδες ἀσαφεῖς αὐτὸν ποιῆσαι

by which the popular House has at first checked and finally brought into subordination the power of the Crown. In Rome it was the initiative of the magistrate, which in earlier days threw all the power into the hands of the body from which the chief magistrates came and to which they returned, while from the time of the Gracchi onward it was the weapon with which the democratic magistrates attacked and overthrew the government of the aristocracy. In Athens it was the immediate control which the people exercised over the magistrates, summarily directing their proceedings in office by means of the ecclesia, and sharply punishing any neglect of its wishes by means of the courts of law. Solon deserved the reputation which he won as the founder of the Athenian constitution by being the first to introduce into it this special feature. The reforms of Cleisthenes, Ephialtes, Pericles, and others only developed the constitution on the lines which Solon had laid down; and though these modifications were doubtless far enough from his original intention, they yet followed naturally from the growing strength of the lower classes whom he had introduced into public life.

Ἐφεσις : Plutarch (c. 18) notices the importance of this right of appeal, as throwing the ultimate authority into the hands of the law-courts; καὶ γὰρ δσα ταῖς ἀρχαῖς ἔταξε κρίνειν, δροίως καὶ περὶ ἔκεινων εἰς τὸ δικαστήριον ἐφέσεις ἴδωκε τοῖς βουλομένοις. The construction of ἡ . . ἐφεσις is somewhat irregular, and the whole sentence appears to have suffered some corruption in the MS., apart from the difficulties of decipherment in the case of certain letters; but the sense is quite clear.

ὁ περὶ τῶν κλήρων καὶ ἐπικλήρων : cf. Plutarch, c. 20.

οἴονται μὲν οὖν κ.τ.λ. : Plutarch mentions the same story (c. 18). In itself it is of course absurd, but it is useful as showing that Aristotle placed the origin of the δικαστήρια at least as early as the time of Solon, which Grote doubts. In some form they must have existed for the

τοὺς νόμους ὅπως τι τῆς κρίσεως [εἰ]χη [ό δῆμος κ]ύριος. οὐ μὴν εἰκός, ἀλλὰ διὰ τὸ μὴ δύνασθαι καθόλου περιλαβεῖν τὸ βέλτιστον· οὐ γὰρ [δ]ίκ[αιον] ἐκ τῶν οὐν γινομένων ἀλλ' ἐκ τῆς ἄλλης πολιτείας θεωρεῖν τὴν ἐκείνου βούλησιν.

10. Ἐν [μὲν οὖν τ]οῖς νόμοις ταῦτα δοκεῖ θεῖναι δημοτικά, πρὸ δὲ τῆς νομοθεσίας ποιήσα[σθαι τὴν χρ]εῶ[ν ἀπο]κοπήν, καὶ μετὰ ταῦτα τήν τε τῶν μέτρων καὶ σταθμῶν καὶ τὴν τοῦ νομίσματος αὔξησιν. ἐπ' ἐκείνου γὰρ ἐγένετο καὶ τὰ μέτρα μείζω τῶν Φειδωνείων, καὶ ἡ μνᾶ πρότερον [μὲν ἔχο]υσα παρα-[πλήσ]ιον ἐβδομήκοντα δραχμὰς ἀνεπληρώθη ταῖς ἑκατόν. ἦν δ' ὁ ἀρχαῖος χαρακτὴρ δίδραχμον. ἐποίησε [Col. 4.] δὲ καὶ σταθμὸν πρὸς τ[ο]ν νόμισμα *τ[ρ]εῖς καὶ *έξη-

purpose of the *εὐθυνα*; and it is not necessary to suppose, nor is it probable, that they had a much more extended existence at this time. Solon gave the lower classes a potential rather than an immediately actual share in the government, and the great development of the law-courts undoubtedly belongs to the fifth century, when pay was introduced for service in them.

10. *μέτρων καὶ σταθμῶν*: this confirms Boeckh's opinion as against Grote's, that Solon introduced some reform into the system of weights and measures, but details are not given except as to the monetary standard. It seems clear, however, that the reform of the monetary standard had nothing to do with the *σεισάχθεια*. As all debts were abolished by the latter, there would be no call for an enactment that the new and smaller drachmas were to be taken as equivalent to the old drachmas for the purpose of discharging debts. The measure appears to have been purely commercial, with the view of developing the Athenian trade with the great commercial cities of Euboea, as well as with the Ionian cities in Asia Minor, which likewise used the Euboic standard of currency.

ἦν δ' ὁ ἀρχαῖος χαρακτὴρ δίδραχμον: so Pollux (IX. 60) says of the δίδραχμον, τὸ δὲ παλαιὸν τοῦτο ἦν Ἀθηναῖος νόμισμα, καὶ ἐκαλεῖτο βοῦς.

τρεῖς καὶ ἔξηκοντα μνᾶς τὸ τάλαντον ἀγούσας: this appears to be the reading of the MS., though the letters of the first word are rather faint. The words *τρεῖς καὶ* must, however, be corrupt. There is no indication that the number of minae in a talent was ever other than sixty.

κοντα μνᾶς τὸ τάλαντον ἀγούσας, καὶ ἐπιδιενεμήθησαν
[αἱ] μναῖ τῷ στατῆρι καὶ τοῖς ἄλλοις σταθμοῖς.

11. Διατάξας δὲ τὴν πολιτείαν ὅνπερ εἴρηται τρόπον, ἐπειδὴ προσιόντες πάντες περὶ τῶν νόμων ἐνώχλουν, τὰ μὲν ἐπιτιμῶντες τὰ δὲ ἀνακρίνοντες, βουλόμενος μήτε ταῦτα κινεῖν μήτ’ ἀπεχθάνεσθαι παρὸν ἀποδημίαν ἐλογίσατο κατ’ ἐμπορί[αν] ἄμα καὶ θεωρίαν εἰς Αἴγυπτον [περὶ Κα]νώπουν [πόλ]ει δέκα ἔτων οὐ γὰρ οἰεσθαι δίκαιον εἶναι [το]ὺς νόμους ἔξηγενσθαι παρὸν ἀλλ’ ἔκαστον τὰ γεγραμμένα ποιῆσαι. ἄμα δὲ καὶ συνέβαιν[εν] αὐτῷ τῶν τε γυνωρίμων διαφόρους γεγένησθαι πόλλους διὰ τὰς τῶν χρεῶν ἀποκοπά[s, κ]αὶ τὰς στάσεις ἀμφοτέρας μεταθέσθαι διὰ τὸ παρὰ δόξαν αὐτοῖς γενέσθαι τὴν [οὐ]σαν [κατὰ]στασιν. ὁ μὲν γὰρ δῆμος φέτο πάντ’ ἀνάδαστα ποιήσειν αὐτόν, οἱ δὲ γυνώριμοι [πά]λιν εἰς τὴν αὐτὴν τάξιν ἀποδώσειν· ἡς [μέντοι] παραλλάξ[ας δόξης ἀ]μφοτέροις ἡναντιώθη, καὶ ἔξον αὐτῷ μεθ’ ὅποτέρων ἡβούλετο συστά[ντι] τυραννεῖν εἴλετο πρὸς ἀμφοτέρους ἀπεχθεσθῆναι σώσας τὴν πατρίδα καὶ τὰ βέ[λτι]στα νομοθετήσας.

12. Ταῦτα δ’ ὅτι τοῦτον <τὸν> τρόπον ἔσχεν οἱ τ’ ἄλλοι συμφωνοῦσι πάντες, καὶ αὐτὸς ἐν τῇ ποιήσει μέ[μν]ηται περὶ αὐτῶν ἐν τοῖσδε·

Δῆμφ μὲν γὰρ ἔδωκα τόσον γέρας ὅσσον ἀπαρ[κεῖ],

* ΙΙ. κινεῖν : MS. κεινεῖν.

κατάστασιν : the word originally written was τάξιν, but κατάστασιν has been written above it as a correction.

12. Δῆμφ μὲν γὰρ κ.τ.λ. : quoted in Plutarch (c. 18), Bergk, *Frag. 4.*
δῆμφ : MS. δημοι.

γέρας : the MSS. of Plutarch have κράτος.

ἀπαρκεῖ : the reading of the MSS. of Plutarch is ἐπαρκεῖ, but ἀπαρκεῖ

τιμῆς οὗτ' ἄφελῶν οὗτ' ἐπορεξάμενος.
οἱ δὲ εἶχον δύναμιν καὶ χρήμασιν ἥσαν ἀγητο[ι],
καὶ τοῖς ἐφρασάμην μηδὲν ἀ[ει]κὲς ἔχειν.
ἔστην δὲ ἀμφιβαλῶν κρατερὸν σάκος ἀμφοτέροισι
μ[ι]κᾶν δὲ οὐκ εἴαστ' οὐδετέρους ἀδίκως.

πάλιν δὲ ἀποφαινόμενος περὶ τοῦ πλήθους, ὡς α[ύτ]ῷ
δεῖ χρῆσθαι·

Δῆμος δὲ ὁδὸς ἀν ἄριστα σὺν ἡγεμόνεσσιν ἔποιτο,
μήτε λίαν ἀμ[ε]θεὶς μήτε βιαζόμενος.
τίκτει γὰρ κόρος ὑβριν, ὅταν πολὺς ὅλβος ἔπηγ[αι]
ἀνθρώποισιν ὅσοις μὴ νόος ἄρτιος ἔη.

καὶ πάλιν διαγνῶθι ποῦ λέγει περὶ τῶν διανείμασθαι
τὴν γῆν βουλομένων·

Οἱ δὲ ἐφ' ἀρπαγαῖσιν ἥλθον, ἐλπίδες εἰχον ἀφνεάν,

has been conjectured as being more suitable, and the present MS. of Aristotle confirms it.

ἐπορεξάμενος : MS. *ἀπορεξάμενος*.

οἱ : MS. *οσοι*.

Δῆμος δὲ ὁδὸς ἀν κ.τ.λ. : the first two lines are quoted in Plutarch (*Sol. et Popl. Comp.* 2), Bergk, *Frag.* 5. The two remaining lines occur in Theognis, 153, 154; but the first is quoted as Solon's by Clement of Alexandria (*Strom.* VI. p. 740), and it is clear that Theognis borrowed a couplet which harmonised well with his own didactic verses.

βιαζόμενος : the MSS. of Plutarch have *πιεζόμενος*, but the present reading appears preferable.

πολὺς : the MSS. of Theognis have *κακῷ*, but the quotation in Clement of Alexandria agrees with the text of Aristotle.

ἀνθρώποισιν ὅσοις : the MSS. of Theognis have *ἀνθρώπῳ καὶ ὅτῳ*, but the present reading again appears preferable.

οἱ δὲ ἐφ' ἀρπαγαῖσιν ἥλθον κ.τ.λ. : this quotation is from a poem which, as Aristides (*περὶ τοῦ παραφθύματος* II. p. 536) informs us, was composed ἐξεπιτηδεῖς εἰς αὐτὸν καὶ τὴν ἑαυτοῦ πολτείαν. Lines four and five are quoted by Plutarch (c. 16), and part of lines six and seven by Aristides (l. c.). The rest is new. The three other fragments in the same metre (Bergk, 30, 32, 34) are no doubt from the same poem, including the well-known lines on his refusal to set himself up as tyrant, οὐκ ἐφ' Σδλων βαθύφρων. Plutarch, in quoting one of these fragments, states that the poem from which it comes was addressed to Phocus,

, κάδόκουν ἔκαστος αὐτῶν ὄλβον εὐρήσειν πολύν,
καὶ με κατίλλοντα λείως τραχὺν ἐκφανέειν νόον.
χαῖνα μὲν τότ' ἐφράσαντο, ὑν δέ μοι χολούμενοι
λο[ξὸν ὁ]φθαλ[μοῖ]ς ὄρωσι πάντες ὥστε δῆσοι.
οὐ χρεών· ἀ μὲν γὰρ εἴπα σὺν θεοῖσιν ἦν[σα],
[ἄλλα δ' α]ὖ μ[ά]την ἔερδ[ο]ν, οὐδέ μοι τυραννίδος
ἀνδάνει βίᾳ τι [βέζειν, οὐδὲ πιείρα]ς χθονὸς
πατρίδος θάκοισιν ἐσθλοὺς ἴσομοιρίαν ἔχειν.

[πάλιν] δὲ καὶ περὶ τῆς ἀπο[ρί]ας τῆς τῶν [πενήτ]ων
καὶ τῶν δουλεύοντων μὲν πρότερον ἐλευθερωθέντων
[δὲ διὰ] τὴν σεισάχθει[αν].

'Εγὼ δὲ τῶν μὲν οὐνέκ' ἀξονῆλατον
δῆμον τι τούτων πρὶν τυχῶν ἐπαυσάμην,

δῆμοι: MS. δημοι.

Δ μὲν γὰρ εἴπα: the MSS. of Aristides read Δμα γὰρ ἀελπτα or Δ μὲν
γὰρ ἀελπτα. Gaisford conjectured Δ μὲν ἀελπτα, and is followed by
Bergk, and these words have hitherto been taken as the beginning of
a line.

Δλλά δ': following Gaisford's emendation of Δμα δ', which is read by
the MSS. of Aristides.

ἀνδάνει κ.τ.λ.: the readings in this line are rather doubtful, and the
exact meaning of the final couplet is not clear. There is no reason
why he should not like honest men (ἐσθλοί) to have an equal share in
the enjoyment of the country, and it may be suggested that Δλλά should
be substituted for οὐδέ, as the latter may be simply a mistake due to
the occurrence of the same word in the same place in the preceding
line.

δουλεύοντων: this is the first word legible on the first of the two frag-
ments of the Πολιτεία discovered by Blass in the Berlin Museum (cf.
Hermes, XV. 366), and identified as Aristotle's by Bergk. The front
side of the first fragment contains twenty-three lines, all imperfect,
ending with a portion of the line πολλῶν δὲ ἀνδρῶν ηδ' ἔχηράθη πόλις.

'Εγώ δὲ τῶν μὲν κ.τ.λ.: the first two lines are new; the rest is the
well-known fragment quoted by Aristides (l. c.), and partly also by
Plutarch (c. 15).

ἀξονῆλατον: the word is a strange one, but it does not seem possible
to make anything else out of the MS. It is only known elsewhere in
Aesch. *Suppl.* 181, where it is an epithet of σύργγες, and is used in its
simple sense of 'whirling on the axle.' Here it is metaphorical and
indicates a torture such as that of Ixion.

συμμαρτυρ[οί]η ταῦτ' ἀν ἐν δίκῃ χρόνου
μῆτηρ μεγίστη δαιμόνων Ὀλυμπίων
ἄριστα, Γῆ μέλαινα, τῆς ἐγώ ποτε
[δέ]ρους ἀνεῖλον πολλαχῆ πεπηγότα[ς],
[πρόσθ]εν δὲ δουλεύουσα, νῦν ἐλευθέρα.
πολλοὶς δ' Ἀθήνας, πατρίδ' εἰς θεόκτιτον],
[ἀνήγαγον πραθέντας, ἄλλον ἐκδίκως,
ἄλλον δικαίως, τοὺς δ' ἀναγκαίης ὑπο
χρείους φυγόντας, γλώσσαν οὐκέτ' Ἀττικὴν
ιέντας, ὡς ἀν πολλαχῆ πλαιν[ωμένους],
τοὺς δ' ἐνθάδ' αὐτοῦ δουλίην ἀεικέα
[ἔχοντας, ἡθη δεσποτῶν τρομευμένοις],
[ἐλ]ευθέρους ἔθηκα. ταῦτα μὲν κράτει
νόμου, βίαν τε καὶ δίκην συναρμόσας,
[ἔρεξα], καὶ διῆλθον ὡς ὑπεσχόμην.
θεσμοὶς θ' ὁμοίως τῷ κακῷ τε κάγαθῷ,
εὐθεῖαν εἰς ἔκαστον ἀρμόσας δίκην,
ἔγραψα. κέντρον δ' ἄλλος ὡς ἐγὼ λαβών,
[κακοφραδής τε καὶ φιλοκτήμων ἀνήρ,
οὐκ ἀν κατέσχε δῆμον· εἰ γὰρ η[θε]λον

χρόνου : so too the MSS. of Aristides ; Bergk accepts the conjecture Κρόνου, but the MS. reading appears to give a perfectly good sense. It is Solon's appeal to the judgment of Time.

θεόκτιτον : MS. θεοκτιστον, which is also the reading of all the MSS. of Aristides except one.

χρησμὸν λέγοντας : this is certainly a better reading than the fantastic χρησμὸν λέγοντας, which is given by the MSS. of Aristides, to the confusion of commentators.

κράτει νόμου : MS. κράτει. κράτει δμον is the reading of most of the MSS. of Aristides, and Plutarch also gives δμον: in accordance with which the editors read κράτη, which is found in one of the MSS. of Aristides. The present text seems preferable: 'by the strength of law I did it, fitting might and right together.'

εἰ γὰρ ηθελον κ.τ.λ. : the quotation in Aristides ends with the words οὐκ ἀν κατέσχε δῆμον, but Plutarch (c. 16) says καίτοι φησὶν ὡς εἰ τις ἄλλος ζσχε τὴν αὐτὴν δύναμιν, οὐκ ἀν κατέσχε δῆμον . . . γάλα (cf. *infra*). Consequently the latter line and a half have been joined on to the quotation of Aristides; while the lines εἰ γὰρ ηθελον . . . ἐστράφη

ἀ τοῖς ἐναντίο[ισι]ν ἡνδανεν τότε,
αὐθις δ' ἀ τοῖσιν ἀτέροις φράσαι δίχα,
πολλῶν ἀν ἀνδρῶν ἥδ' ἔχηρώθη πόλις.
[ῶν] οὐνεκ' ἀλκὴν παντόθεν ποιούμενος
ώς ἐν κυσὶν πολλαῖσιν ἐστράφην λύκος.

καὶ πάλιν ὄνειδίζων πρὸς τὰς ὕστερον αὐτ[οῦ] μεμψι-
μοιρίας ἀμφοτέρων·

Δήμῳ μὲν εἰ χρὴ διαφραδὴν ὄνειδίσαι,
ἀ νῦν ἔχουσιν οὕποτ' ὀφθαλμοῖσιν ἀν
εῦδοντες εἶδοι·
ὅσοι δὲ μείζους καὶ βίαν ἀμείνονες
αἰνοῖεν ἀν με καὶ φίλον ποιοίατο.

εἰ γάρ τις ἄλλος, φησι, ταύτης τῆς τιμῆς ἔτυχεν,
οὐκ ἀν κατέσχε δῆμον οὐδὲ ἐπαύσατο,
πρὶν ἀν ταράξας πῦρ ἔξ[ελ]ειν γάλα.
ἔγῳ δὲ τούτων ὕσπερ ἐν μεταιχμίῳ
ὅρος κατέστην.

13. Τὴν μὲν οὖν ἀποδημίαν ἐποίήσατο διὰ ταύτας

λύκος, which are separately quoted by Aristides, stand as an independent fragment (Bergk, 36). The present passage shows what must be taken as the true re-arrangement of the lines, from which it appears that Solon repeated the phrase οὐκ ἀν κατέσχε δῆμον more than once.

ἀ τοῖς: MS. αυτοῖς.

αὐθις δ' κ.τ.λ.: the MS. is quite corrupt, reading αὐθις δε αυτοισιν ουτεραι φρασαιατο, from which one may perhaps extract the reading φράσαι in place of δράσαι, which is found in Aristides.

δν: the MSS. of Aristides have τῶν.

ἀλκὴν: the MSS. of Aristides have ἀρχήν, which Bergk emends ὀργήν. The present reading seems preferable.

ποιούμενος: the MSS. of Aristides have κυκεύμενος.

εῦδοντες εἶδοι: it is evident that the quotation was broken off here, in the middle of the description of the indebtedness of the lower orders to Solon, and it is resumed where he passes on to show what he had done for the upper classes.

πῦρ: MSS. of Plutarch πῖαρ. The following line and a half were not hitherto known.

τὰς αἰτίας. Σόλωνος δ' ἀποδημήσαντος, ἔτι τῆς πόλεως τεταραγμένης, ἐπὶ μὲν ἔτη τέτταρα διῆγον [έ]ν ήσυχίᾳ· τῷ δὲ πέμπτῳ μετὰ τὴν Σόλωνος ἀρχὴν οὐκ ἐπέστησαν ἀρχοντα διὰ τὴν στ[άσ]ιν, καὶ πάλιν ἔτει πέμπτῳ *τὴν αὐτὴν αἰτίαν ἀρχαίαν* ἐποίησαν. μετὰ δὲ ταῦτα διὰ τῶν αὐτῶν χρόνων Δ[αμ]α[σίας]

13. τῷ δὲ πέμπτῳ μετὰ τὴν Σόλωνος ἀρχῆν: the legislation of Solon being in 594 B.C., the date here referred to will be 590 B.C., according to the usual Greek method of reckoning time. In the lists of archons the name of Simon is given for that year; but Clinton shows some reason for believing that the Parian Chronicle is right in this case, instead of (as usual) giving the date a year too high, and he accordingly places Simon's archonship in 591 B.C., which leaves 590 B.C. clear for the year of anarchy described by Aristotle.

ἐπέστησαν: M.S. apparently *ἀπεστησαν*.

πάλιν ἔτει πέμπτῳ: Clinton, on the strength of the scholiasts on Pindar (*Prolog. Pyth.*), places the archonship of Damasias in 586 B.C., but unless we are to suppose that there were two archons of the name within five years of one another there must be a mistake here. It is quite possible that this very passage of Aristotle was the authority of the scholiasts (or rather of the source from which both evidently drew) for the date of Damasias, and that the mistake arose through there being *two* periods of five years mentioned. The words which follow are doubtful. The M.S. reading is corrupt, and the simplest and most probable correction seems to be to read διὰ τὴν αὐτὴν αἰτίαν ἀρχῆν οὐκ ἐποίησαν.

Δαμασίας: until the discovery of the Berlin fragments of the *Πολιτεία* nothing was known of this person beyond his name, nor was there any sign of a constitutional crisis being associated with his rule. The reverse of the first Berlin fragment (Blass, *Hermes*, XV. 372; Diels, *Berl. Acad.* 1885) contains a portion of the present passage, beginning with the word *ἀρχοντα* just above, but becoming intelligible first with the name *Δαμασίας*. It contains twenty-four lines (all imperfect, especially the last five), and ends with the words *τὰ χρέα*. The present discovery of the complete passage at once overthrows a large number of conjectures which were made as to the date and character of the events referred to in it. The date of the accession of Damasias to office is clearly 582 B.C., and he governed for that year and the year following. The Parian Chronicle for the year 581 B.C. has the words *ἀρχοντος Δαμασίου τοῦ δευτέρου*, and the last word has been supposed to be added to distinguish this Damasias from the archon in 639 B.C. In the light of the narrative of Aristotle it is probable that it means the

αἰρε]θεὶς ἄρχων ἔτη δύο καὶ δύο μῆνας ἥρξεν, ἕως
 ἔξηλασθη βίᾳ τῆς ἄρχης. εἰτ' ἔδοξε[ν] αὐτοῖς διὰ
 τὸ στασιάζειν ἄρχοντας ἐλέσθαι δέκα, πέντε μὲν
 εὐπατριδῶν, τρεῖς δὲ ἀ[γρ]οίκων, δύο δὲ δημιουργῶν,

second year of the rule of Damasias, though the compiler of the chronicle possibly did not so understand it him: If, but copied it from a record in which the name of Damasias stood against both 582 and 581 B.C.: in this case it is a confirmation of the date as deducible from Aristotle. As to the constitutional significance of the episode, it is evident that Damasias, having been duly elected archon eponymus (unless we are to suppose that he was elected sole archon, which is not probable, since Aristotle's comment below, *ὅστε δῆλον κ.τ.λ.*, indicates that though the archon's was the most important post it did not stand alone) in 582 B.C., illegally continued himself in office during the following year, and in fact endeavoured to establish a tyranny. Possibly he made some plausible excuse for securing a second year of office; but when the third year began and he still showed no signs of retiring, all parties in the state seem to have combined to expel him. The fact that there was an alliance between the different orders seems to be shown by the character of the board of archons which took up the government after his fall. This was a mixed board of ten members, five belonging to the Eupatridae, three to the Geomori (here called *ἀγροίκοι*), and two to the Demiurgi. The Berlin fragment being imperfect as to the numbers, it has hitherto been supposed that the board had nine members, that being the regular number of the archons, and that the Eupatridae had only four representatives, which would make them a minority of the whole college. It was perhaps to avoid that condition that the number ten was fixed upon. We have not sufficient evidence to show for what reason the old class qualification was resorted to, instead of the property qualification introduced by Solon. No doubt the latter was very unpopular among the aristocracy, as admitting the rich parvenus to an equality with themselves. They were therefore anxious to revert to the old system; but the other classes having probably assisted in the overthrow of Damasias, and having made good their footing in official life since the reforms of Solon, it was impossible to eject them summarily, and they were therefore admitted to the new board, but under the guise of the old class qualification. This, presumably, did not give satisfaction; for in the absence of any statement to the contrary we must suppose that the Solonian system was re-established in the following year.

ἀγροίκον: the important letters of this name are unfortunately illegible in the MS., but a trace of what appears to be the tail of the *ρ* is visible. The Berlin fragment is said to read *ἀγροίκοι*, but

καὶ οὗτοι τὸν μετὰ Δαμασίαν [ἢ]ρξα[ν ἐ]νιαυτόν. ὡ[στε] δῆλον ὅτι μεγίστην εἶχεν δύναμιν ὁ ἀρχων· φαίνονται γὰρ αἱὲ στ[α]σιάζοντες περὶ ταύτης τῆς ἀρχῆς. ὅλως δὲ διετέλουν νοσοῦντες τὰ πρὸς ἑαυτούς, οἱ μὲν ἀρχὴν καὶ πρόφασιν ἔχοντες τὴν τῶν χρεῶν ἀποκοπήν, συνεβεβήκει γὰρ αὐτοῖς γεγονέναι πένησιν, οἱ δὲ τῇ πολιτείᾳ δυσχεραίνοντες διὰ τὸ μεγάλην γεγονέναι μεταβολήν, ἔνιοι δὲ δ[ιὰ τὴν] πρὸς ἄλλήλους φιλονικίαν. ἡσαν [δέ] αἱ στάσεις

it can hardly be the true word. Apart from the fact that *ἄρυοικος* corresponds with the name of the middle class as it is otherwise known (*γεωμόραι*), it is the very name which Dionysius of Halicarnassus (*Rom. Ant.* II. 8) mentions as that of all those who were not Eupatridae; and Hesychius (*s. v. ἄρυοιώται*) explains that word thus, *ἄρυοικοι, καὶ γένος Ἀθήνησιν, οἱ ἀντιδιεστέλλοντο πρὸς τοὺς εἰπαρίδας*. ἦν δὲ τὸ τῶν γεωργῶν, καὶ τρίτον τὸ τῶν δημιουργῶν.

αἱὲ : this spelling is so commonly found in the MS. that it seems better to retain it in the text where it occurs.

οἱ μὲν . . . οἱ δέ: these two classes are not the upper and lower classes, since the latter would have no reason to complain of a great *μεταβολή* in the constitution, but different sections of the upper class, some of whom disliked the reforms of Solon on account of the pecuniary loss they incurred thereby, while others were angry at the loss of the political supremacy which they had hitherto enjoyed. The reforms of Solon were very far from producing a peaceful settlement of affairs. Except for the four years immediately after his term of office there was almost perpetual dissension until the establishment of the tyranny of Pisistratus; and that in turn led immediately to the reforms of Cleisthenes. In fact the Solonian constitution, though rightly regarded as the foundation of the democracy of Athens, was not itself in satisfactory operation for more than a very few years. In this respect it may be compared with the constitutional crisis of the Great Rebellion in England. The principles for which the Parliament fought the King were not brought into actual practice until after a return to Stuart rule and a fresh revolution; and yet the struggle of the earlier years of the Long Parliament and the principles of Eliot and Pym are rightly held to be the foundation of the modern British constitution.

ἡσαν δέ αἱ στάσεις κ.τ.λ.: the story of the rise of Pisistratus is substantially the same as that which we know already from Herodotus and Plutarch.

τρεῖς, μία μὲν τῶν παραλίων, ὅν προειστήκει Μεγακλῆς ὁ Ἀλκμέωνος, ο[ι]περ ἐδόκουν μάλιστα διώκειν τὴν μέσην πολιτείαν· ἄλλη δὲ τῶν πεδια[κῶν], οἱ τὴν ὀλιγαρχίαν ἔζητον, ἡγεῖτο δὲ αὐτῶν Λυκοῦργος· τρίτη δὲ ἡ τῶν διακρίων, ἐφ' ἣ τεταγμένος ἦν Πεισίστρατος, δημοτικώτατος εἶναι δοκῶν. προσεκεκόσμητο δὲ τούτοις οἱ τε ἀφ[η]ρημένοι τὰ χρέα διὰ τὴν ἀπορ[ί]αν, καὶ οἱ τῷ γένει μὴ κάθαροὶ διὰ τὸν φόβον· σημεῖον δὲ, ὅτι μετὰ τὴν τυράννων κατάστασιν ἐποίησαν διαφημισμὸν ὡς πολλῶν κοινωνούντων τῆς πολιτείας οὐ προσῆκον. εἶχον δὲ ἔκαστοι τὰς ἐπωνυμίας ἀπὸ τῶν τ[ό]πων ἐν οἷς ἐγεώργουν.

'Αλκμίωνος: the spelling of the MS. is retained, which consistently has *ε* for the more usual *αι* in this word and its cognates, such as *'Αλκμεωνίδαι*. In the patronymic the spelling varies between *ω* and *ο* (cf. ch. 20).

πεδιακῶν: this is the form used by Aristotle elsewhere (*Pol.* V. 5, 9), and it is probably the right reading here; for, though the termination is lost, the *a* is certain. Plutarch uses the form *πεδιέων*.

διὰ τὸν φόβον: *sc.* of a return to the aristocratic régime of class and family qualifications, in place of the Solonian property qualification. But though they feared a distinctly and avowedly aristocratic basis of government, they showed that they were oligarchic in sympathies by the resolution which Aristotle records in the next sentence, the point of which is to prove that the supporters of Pisistratus were not all democratic in their views.

διαφημισμόν: *i.e.* a proclamation. The word does not seem to be found elsewhere, but the verb *διαφημίζειν* occurs in Dionysius of Halicarnassus.

εἶχον δὲ ἔκαστοι κ.τ.λ.: the three local divisions of the Plain, the Shore, and the Mountain corresponded with differences of class which account for their being taken as the basis for political divisions. In the Eleusinian and Athenian plains lived the rich landowners who represented the old aristocracy; to the shore belonged the commercial classes, who were well off but not attached by sympathy or tradition to the ultra-oligarchical party; while the rough uplands were occupied by the poorer classes of cultivators, who had no voice at all in the state until Solon admitted them to the ecclesia and law-courts.

14. *Δημοτικώτατος δ' εἶναι δοκῶν ὁ Πεισίστρατος, καὶ σφόδρ' εὐδοκιμηκώς ἐν τῷ πρὸς Μ[εγάρης]αρέας*

14. εὐδοκιμηκώς ἐν τῷ πρὸς Μεγαρέας πολέμῳ: the date of this Megarean campaign is of some importance in reference to the age of Pisistratus. The fact of his having earned distinction in a campaign against Megara is confirmed by Herodotus (I. 59), *πρότερον εὐδοκιμήσας ἐν τῷ πρὸς Μεγαρέας γενομένῃ στρατηγίῃ, Νίσααι τε ἐλών, καὶ ἀλλα ἀποδεξάμενος μεγάλα ἔργα*, and Plutarch (*Sol.* 8) represents it as having occurred in the successful war against Megara which was the result of the first appearance of Solon in public life, some time about 600 B.C. This is accepted by most modern historians (*cf.* Abbott, I. 399), Grote, though he argues that the dates make it practically impossible, believing that Herodotus intended to refer to that war. There seems to be no sufficient reason for the latter assumption, which, however, is not of great importance, since Herodotus is not preeminent for chronological accuracy; but, so far as the actual facts are concerned, it is clear both that the war in which Pisistratus distinguished himself cannot be that which was undertaken under Solon's influence, and that there must have been another war against Megara between the date of Solon's legislation and that of the first tyranny of Pisistratus. To have served with distinction in war (without laying stress on the phrase of Herodotus, *Νίσααι ἐλών*, which would imply that he was in a station of command) he cannot have been less than eighteen years old, which would make him ninety-one at his death in 527 B.C. Thucydides (VI. 54) says that he died *γηραιός*, but that does not imply that he had reached an age so far beyond the ordinary duration of life in those times; and it is highly improbable that he should have reached the age of fifty-eight (which would then have been considered old age) before making his attempt on the tyranny, and eighty (or nearly) when he finally settled himself in power. Further, Aristotle himself declares the story to be impossible on the ground of the dates (*infra*, ch. 17, *φανερῶς ληροῦσι φάσκοντες ἐρώμενον εἶναι Πισίστρατον Σόλωνος καὶ στρατηγεῖν ἐν τῷ πρὸς Μεγαρέας πολέμῳ περὶ Σαλαμίνος οὐ γὰρ ἐνδέχεται ταῖς ἡλικίαις*). On the other hand, it is certain that a successful war against Megara must have been fought after the date of the legislation of Solon. We know from Plutarch (*c.* 12) that after the capture of Salamis by Solon, and about the time of the expulsion of the Alcmaeonidae, the Megarians renewed the war and recaptured Nisaea and Salamis. This disaster led to the visit of Epimenides to purify the city from the curse which still seemed to attach to it, and the visit of Epimenides appears to have been followed very closely by the legislation of Solon. There is no indication of any re-conquest of Salamis or Nisaea by Athens in the interval, and therefore it may be held to be certain that it did not take place till a later period. Now supposing Pisistratus to have been

πολέμῳ, κατατραυματίσας ἑαυτὸν σύννεπεισε τὸν δῆμον, ὡς παρὰ τῶν ἀντιστασιωτῶν ταῦτα πεπονθέ[ώ]ς, φυλακὴν ἑαυτῷ δοῦναι τοῦ σώματος, Ἀριστίωνος [γ]ρ[ά]ψαντος τὴν γνώμην. λαβὼν δὲ τοὺς κορυνηφόρους καλουμένους, ἐπαναστὰς μετὰ τούτων τῷ δήμῳ κατέσχε τὴν ἀκρόπολιν ἔτει δευτέρῳ καὶ τριακοστῷ μετὰ τὴν τῶν νόμων θέσιν, ἐπὶ Κ[ωμ]έου ἄρχοντος. λέγεται δὲ Σόλωνα, Πισιστράτου τὴν φυλακὴν αἰτοῦντος, ἀντιλέξαι καὶ εἰπεῖ[ν ὅ]τι τῶν μὲν εἴη σοφώτερος, τῶν δὲ ἀνδρειότερο]ς· ὅσοι μὲν γὰρ ἀγνοοῦσι Πισίστρατον ἐπιτιθέμενον τυραν[νίδι] σοφώτερος εἶναι τούτων, ὅσοι δὲ εἰδότες κατασιω-

about seventy at the time of his death, which is as high as we can safely go, he must have been born about 600 B.C. At the age of thirty or thirty-five he may reasonably have been in command of an expedition against Megara (Aristotle's word *στρατηγεῖν* confirming Herodotus' *Νίσσαιν ἐλών*), which may be assigned approximately to 565 B.C. Accepting this date it is easy to understand how the reputation won by his successful conduct of it would help him powerfully in his bid for the tyranny, which would hardly be the case if his victory were some forty years old.

εὐδοκιμηκώς: the augment is omitted, as it also is in the MSS. of other Attic writers, e.g. Aristophanes' *Clouds*, 1031; Xen. *Hell.* VI. 1, 2.

Ἀριστίωνος: Plutarch (*Sol.* 30) gives the name as Ariston.

ἔτει δευτέρῳ καὶ τριακοστῷ: this is probably a slip on the part of Aristotle, since the archonship of Comeas and the first accession of Pisistratus to power fall in 560 B.C., while the legislation of Solon is fixed with fair certainty in 594 B.C. At the same time the authorities are not unanimous, and 591 B.C. is a possible date for Solon; but this would involve an alteration in the date of Damasias and the other events mentioned at the beginning of ch. 13.

Κωμέον: in Plutarch (*Sol.* 32) the name is spelt Κωμίας. The matter is not of importance, but the authority of Aristotle is entitled to the preference, and this MS. is much older than any of those of Plutarch. On the Parian marble the two middle letters are missing.

λέγεται Σόλωνα κ.τ.λ.: cf. Plutarch (c. 30).

Πισιστράτον: the spelling of this name in the MS. varies, the diphthong being used at first and afterwards the single vowel.

κατασιωτώσω: MS. κατασιωτώντως, clearly a clerical blunder caused by the participle preceding.

πῶσιν ἀνδρειότερος· ἐπεὶ δὲ λέγων [πράττει οὐ]θέν, ἔξαράμενος τὰ ὅπλα πρὸ τῶν θυρῶν αὐτὸς μὲν ἔφη βεβοήθηκέναι τῇ πατρίδι καθ' ὅσον ἦν δυνατὸς (ἥδη γὰρ σφόδρα πρεσβύτης ἦν), ἀξιοῦν δὲ καὶ τοὺς ἄλλους ταύτῳ τοῦτο ποιεῖν. Σόλων [μὲν οὖν οὐ]δὲν ἤνυσεν τότε παρακαλῶν· Πισίστρατος δὲ λαβὼν τὴν ἀρχὴν διφέρει τὰ κοινὰ πολιτικῶς μᾶλλον ἢ τυραννικῶς. οὕπω δὲ τῆς ἀρχῆς ἐρριζωμένης ὁμοφρονήσαντες [οἱ] περὶ τὸν Μεγακλέα καὶ τὸν Λυκοῦ[ργο]ν ἔξέβαλον αὐτὸν ἔκτῳ ἔτει μετὰ τὴν πρώτην κατάστασιν, ἐφ' Ἡγησίου ἀρχοντος. ἔτει δὲ δωδεκάτῳ μετὰ ταῦτα περιελαυνόμενος ὁ Μεγακλῆς τῇ στάσει,

ἔξαράμενος τὰ ὅπλα κ.τ.λ.: MS. εξαραμενος. For the story, cf. Plutarch (l. c.).

οὕπω τῆς ἀρχῆς ἐρριζωμένης: Aristotle is clearly following Herodotus' τὴν τυραννίδα οὐκων κάρτα ἐρριζωμένην ἔχων (I. 60). The date which Aristotle adds, ἔκτῳ ἔτει μετὰ τὴν πρώτην κατάστασιν ἐφ' Ἡγησίου ἀρχοντος, is, however, new, and the name of the archon is otherwise unknown. This will place the first expulsion of Pisistratus in 555 B.C., and helps to clear up the disputed points in the chronology of his life. Herodotus says merely μετὰ οὐ πολὺν χρόνον, and this, coupled with the phrase οὕπω ἐρριζωμένην, would justify Curtius' belief that the first tyranny lasted only about a year, were it not for the direct statement of Aristotle.

ἔτει δὲ δωδεκάτῳ μετὰ ταῦτα: Aristotle gives us plenty of materials for determining the chronology of Pisistratus, but unfortunately they are absolutely irreconcileable. The two extreme dates are certain, viz. 560 B.C. for his first seizure of the tyranny, and 527 B.C. for his death. In ch. 17 Aristotle tells us that of the thirty-three years between these two points he reigned for nineteen and was in exile during the rest. This, in the first place, differs from Aristotle's own statement in *Pol. V.* 12 that he was in possession of the tyranny for *seventeen* years out of thirty-three: and the details which are given in the present narrative fail to clear up the obscurity. He tells us that the first expulsion took place ἔκτῳ ἔτει, or five full years after the first establishment of the tyranny; that the return and establishment of the second tyranny occurred δωδεκάτῳ ἔτει μετὰ ταῦτα; that the second expulsion took place ἔτει μάλιστα ἑβδόμῳ μετὰ τὴν κάθοδον, and the final return ἑδεκάτῳ ἔτει. These periods, added together, amount at the lowest computation

πάλιν ἐπικηρυκευσάμενος πρὸς '[τὸ]ν' Πισίστρατον ἐφ' ὃ τε τὴν θυγατέρα αὐτοῦ λήψεται, κατήγαγεν αὐτὸν ἀρχαϊκῶς καὶ λίαν ἀπλῶς. προδιασπείρας γὰρ λόγον ὡς τῆς Ἀθηνᾶς καταγούσης Πισίστρατον, καὶ γυναικα μεγάλην καὶ καλὴν ἔξευρών,

to thirty-two years, leaving only one for the third tyranny, which it is clear from all the accounts was the longest; moreover, the two periods of exile amount to twenty-one years instead of the fourteen which Aristotle assigns to them in his summary of Pisistratus' career. It is certain, then, that there is a mistake somewhere, and the most probable place is the first period of exile. It is not spoken of, either by Herodotus or by Aristotle, as if it were so important as the second period, and no account is given of the movements of Pisistratus in the course of it. Taking ten years as the duration of the second exile, on which point Herodotus and Aristotle agree, four years are left for the first exile; and if the durations of the first and second tyrannies are correct we get the following chronology of the career of Pisistratus after his accession to power. First tyranny, 560-555 B.C.; first exile, 555-551 B.C.; second tyranny, 551-545 B.C.; second exile, 545-535 B.C.; third tyranny, 535-527 B.C. As Aristotle is uncertain as to the exact length of the second tyranny, it is possible that its duration should be slightly curtailed, and the third correspondingly increased. It has hitherto been generally supposed that the final term of rule was longer in proportion to the other two than is here represented; but no other arrangement seems possible without considerable violence to the text of Aristotle. Moreover eight or nine years are enough to prove the complete establishment of the despotism, and if we suppose the first and second periods to have been more or less disturbed by threatened attacks from Lycurgus and Megacles and their followers, whereas in the third Pisistratus was unassailed and was able at the end of it to hand his power on to his sons without question, a sufficient difference between it and the earlier periods is indicated to account for the way in which Herodotus and Aristotle speak of it.

It may be noticed that according to this arrangement the embassy of Croesus to Greece, to make an alliance with the most powerful Greek state, falls in the second tyranny of Pisistratus. This, however, is quite in harmony with the words of Herodotus (I. 59), τὸ μὲν Ἀττικὸν κατεχόμενόν τε καὶ διεσπασμένον ἐπυνθάνετο δὲ Κροῖσος ὑπὸ Πισιστράτου τοῦ Ἰπποκράτεος, τούτου τὸν χρόνον τυραννεύοντος Ἀθηναίων. According to this passage Athens was at that time under Pisistratus, but his rule was not yet firmly established and was still threatened by rival parties; a state of things such as we suppose to have existed during the second period of tyranny.

ώς μὲν Ἡρόδοτός φησιν ἐκ τοῦ δήμου τῶν Παγανέων, ώς δὲ ἔνιοι λέγουσιν ἐκ τοῦ Κολυττοῦ στεφανόπωλιν Θρῆταν, ἥ δόνομα Φύη, τὴν θεὸν ἀπομιμησάμενος τῷ κόσμῳ [κατή]γαγε[ν] μετ' αὐτοῦ, καὶ ὁ μὲν Πισίστρατος ἐφ' ἄρματος εἰσήλαυνε παραιβατούσης τῆς γυναικός; οἱ δὲ ἐν τῷ ἀστει προσκυνοῦντες ἐδέχοντο θαυμάζοντες.

15. Ἡ μὲν οὖν πρώτη κάθοδος ἐ[γέν]ετο τοιαύτη. μετὰ δὲ ταῦτα, ώς ἐξέπεσε τὸ δεύτερον ἔτει μάλιστα ἐβδόμῳ μετὰ τὴν κάθοδον,—οὐ γὰρ πολὺν χρόνον κατέσχεν, ἀλλ[ὰ] διὰ τὸ μὴ βούλεσθαι τῇ τοῦ Μεγακλέους θυγατρὶ σύγγινεσθαι φοβηθεὶς ἀμφοτέρας τὰς στάσεις ὑπεξῆλθεν· καὶ πρώτον μὲν συνθήκισε περὶ τὸν Θέρμαιον κόλπον χωρίον ὃ καλεῖται Ἡράκλειος, ἐκεῖθεν δὲ παρῆλθεν εἰς τὸν περὶ Πάγγαιον τόπους, ὅθεν χρηματισάμενος καὶ στρατιώτας μισθωσάμενος, ἐλθὼν εἰς Ἐρετρίαν ἐνδεκάτῳ πάλιν ἔτει τὸ πρώτον ἀνασώσασθαι βίᾳ

φησίν : MS. φη, but it is hardly likely that Aristotle should have used this shortened form, which appears to occur only in Anacreon.

στεφανόπωλιν : so Athenaeus, XIII. p. 609.

15. ώς ἐξέπεσε κ.τ.λ.: the construction of this sentence is ungrammatical, as there is no principal sentence on which the clause ώς ἐξέπεσε can depend. The syntax can be restored by striking out καὶ before πρώτον μέν and taking οὐ γάρ . . ὑπεξῆλθεν as a parenthesis; but it is more probable that Aristotle broke off his original construction at οὐ γάρ, and forgot to resume it.

πρώτον μέν κ.τ.λ.: Aristotle is fuller than Herodotus in his account of the movements of Pisistratus during his second exile. His mention of the residence at Rhaicelus and in the neighbourhood of Pangaeus explains the reference in Herodotus to the supplies which Pisistratus drew ἀπὸ Στρυμόνος ποταμοῦ. Herodotus mentions no other place of retirement than Eretria, while it appears from Aristotle that he did not go to that place until he was already supplied with men and money for his descent on Athens.

Ἡράκλειος : at first written Ηρακῆδος, but corrected.

τὴν ἀρχὴν ἐπεχείρει, συμπροθυμουμένῳν αὐτῷ πολλῶν μὲν καὶ ἄλλων, μάλιστα δὲ Θηβαίων καὶ Λύγδαμος τοῦ Ναξίου, ἔτι δὲ τῶν ἵππέων τῶν [Col. 6.] ἔχοντων ἐν Ἐρετρίᾳ τὴν πολιτείαν. νίκησας δὲ τὴν ἐπὶ Παλληνίδι [μάχῃ]ν καὶ λαβὼν [τὴν ἀρχὴν]ν καὶ παρελόμενος τοῦ δήμου τὰ ὅπλα κατείχεν ἥδη τὴν τυραννίδα βεβαίως, [καὶ] εἰς Νάξον ἐλ[θ]ὼν ἄρχοντα κατέστησε Λύγδαμιν. παρεῖλεν δὲ τοῦ δήμου τὰ ὅπλα τόνδε τὸν τρόπον. ἔξοπλισίαν ἐν τ[ῷ] Ἀνακείφ ποιησάμενος ἐκκλησιάζειν ἐπεχείρει, [φωνῇ-δ' ἔξεκλησί]ασεν μικρόν οὐ φασκόντων δὲ κατακούειν ἐκέλευσεν αὐτοῦν προσαν[α]θῆ[ναι] πρὸς τὸ πρόπυλον τῆς ἀκροπόλεως ἵνα γεγώνῃ μᾶλλον. ἐν φ δ' ἔκεινος διέτριβε δημηγορῶν, ἀνελόντες οἱ ἐπὶ τούτων τεταγμένοι τὰ ὅπλα αὐτῶν [καὶ συγ]κληίσαντες εἰς [τὰ] πλησίον οἰκήματα τοῦ Θησείου διεσήμηναν ἐλθόντες πρὸς τὸν Πισίστρατον ὁ δὲ [ἐπεὶ τὸν ἄλλον λόγον ἐπετέλεσεν, εἶπε

τὴν ἐπὶ Παλληνίδι μάχην: the scholiast on Aristoph. *Acharn.* 234 refers to this passage; Παλλήναδε' οἱ Παλληνῖς δῆμος ἔστι τῆς Ἀττικῆς, ἔνθα Πισίστρατῷ βουλομένῳ τυραννεῖν καὶ Ἀθηναῖοις ἀμυνομένοις αὐτὸν συνέστη πόλεμος. . . . μέμνηται δὲ τούτου καὶ Ἀνδροτίων καὶ Ἀριστοτέλης ἐν Ἀθηναίων πολιτείᾳ (Rose, *Frag.* 355).

παρεῖλεν δὲ κ.τ.λ.: the story of this stratagem is told by Polyaenus (*Strateg.* I. 21, 2).

ἔξοπλισίαν: MS. εξοπλασιαν.

φωνῇ ἔξεκλησίασεν μικρόν: this restoration is not proposed with much confidence. The sense, as appears from Polyaenus, is that Pisistratus intentionally spoke in a somewhat inaudible voice, and when the people complained that they could not hear him invited them to a more convenient spot, to which they followed him, leaving behind their arms, which they had stacked according to custom.

διέτριψε: apparently written διετρεψε in the MS. Similarly elsewhere κεινεῖν, χειλίους.

τεταγμένοι: before this word there is an erasure of one or two letters in the MS.

καὶ περὶ τῶν ὅπλων τὸ γεγονός, [λέγων ὡς οὐ χρὴ] θαυμάζειν οὐ[δὲ κατα]θυμεῖν, ἀλλ’ ἀπελθόντας ἐπὶ τῶν ἴδων, τῶν δὲ κοινῶν [αὐτῷ τούτῳ] μελήσεσθαι πάντων.

16. [Ἡ μὲν οὖν Πι]σιστράτου τυραννίς ἐξ ἀρχῆς τε κατέστη [τοῦτον] τὸν τρόπον καὶ [μεταβο]λὰς ἔσχε τοσαύτας. διφέρει δὲ ὁ Πισίστρατος, ὥσπερ εἰρή- [καμεν], τὴν πόλιν μετρίως καὶ μᾶλλον πολιτικῶς ἢ τυραννικῶς· ἐν τε γὰρ τοῖς θ[εσμοῖς φι]λάνθρωπος ἦν καὶ πρᾶος καὶ τοῖς ἀμαρτάνουσι συγγνωμονικός, καὶ δὴ καὶ τοῖς ἀ[πό]ροι[ς] προεδάνειζε χρ[ήμα]τα πρὸς τὰς ἔργασίας, ὥστε δια[μπε]ρὲς ἐγεωργοῦντο. τοῦτο δὲ ἐποίει δυοῖν [χά]ριν, ἵν[α] μήτε ἐν τῷ ἄστει διατρίβωσιγ ἀλλὰ διεσπαρμένοι κατὰ τὴν χώραν, καὶ ὅπως [εὐπο]ροῦντες τῶν μετρίων καὶ πρὸς τοῖς [ἰ]δίοις ὄντες μήτ’ ἐπιθυμῶσι μήτε σχολάξ[ωσιν] ἐπιμελεῖσθαι τῶν κοινῶν. ἅμα δὲ συνέβαινεν αὐτῷ καὶ τὰς προσόδους γίνεσθαι μ[είζο]ντος ἐξεργαζομένης τῆς χώρας· ἐπράττετο γὰρ ἀπὸ τῶν γιγνομένων δεκάτην. διὸ καὶ τοὺς κατὰ [δήμ]ους κατεσκεύαζε δικαιοστὰς καὶ αὐτὸς ἐξήει πολλάκις εἰς τὴν χώραν

16. ἐγεωργοῦντο : MS. εγεωργούνται; the copyist seems at first to have written γεωργοῦνται, and then an ε has been prefixed above the line, with the view of altering the word to the imperfect, but the termination is accidentally left unaltered. The middle is not otherwise known.

τοῦτο δὲ ἐποίει κ.τ.λ. : cf. Aristotle, *Pol.* V. 11, where the house of Pisistratus is mentioned among the tyrants who undertook great public works as a means of keeping the people poor and constantly occupied.

δεκάτην : Boeckh (*Public Economy*, III. c. 6) mentions this tithe, but the evidence has hitherto been of doubtful authority. Thucydides (VI. 54) mentions an εἰκοστή as levied by the Pisistratidae (his phrase perhaps including Pisistratus himself also), and both Grote and Abbott speak of this as the only tax of the kind then levied, Grote expressly refusing to accept the evidence for the higher tax.

ἐξήει : MS. εξηει.

ἐπισκοπῶν [καὶ] διαλ[λάττ]ων τοὺς διαφερομένους, ὅπως μὴ καταβαίνοντες εἰς τὸ ἄστυ παραμελῶσι τῶν [ἀγρ]ῶν. τοιαύτης γάρ τινος ἔξόδου τῷ Πισι-στράτῳ γιγνομένης συμβῆναι φασι τὰ περὶ τὸν ἐν τῷ [‘Υμη]ττῷ γεωργοῦντα τὸ κληθὲν ὕστερον χωρίον ἀτελέσ. ίδων γάρ τινα παττάλῳ πέτρας σκάπτοντα καὶ ἐργαζόμενον, διὰ τὸ θαυμάσαι τὸν πά[τταλον] ἐκέλευεν [ἔρ]εσθαι τί γίγνεται ἐκ τοῦ χωρίου· ὁ δ', ὅσα κακὰ καὶ ὄδιναι, ἔφη, καὶ τούτων τῶν κακῶν καὶ τῶν [ὁ]δυνῶν Πισίστρατον δεῖ λαβεῖν τὴν δε[κά]-την. ὁ μὲν οὖν ἄνθρωπος [ἀ]πε[κρί]νατο ἀγνοῶν, ὁ δὲ Πισίστρατος ἡσθεὶς διὰ τὴν παρρησίαν καὶ τὴν φιλεργίαν [ἀ]τελῆ ἀπάντων ἐποίησεν αὐτόν. οὐδὲν δὲ τὸ πλῆθος οὐδὲ ἐν τοῖς ἄλλοις παρώχλει κατὰ τὴν ἀρχήν, ἀλλ' αἰεὶ π[α]ρεσκ[ευ]αζεν εἰρήνην καὶ ἐ[τ]ήρει δ[ι'] ἡσυχίαν· διὸ καὶ πολλάκις [παρωμιάζ]ετο ὡς [ἡ] Πισιστράτου τυραννίς ὁ ἐπὶ Κρόν[ου] βίος εἴη· συνέβη γάρ ὕστερον διὰ [τῆς ὕβρεως] τῶν νιέων πολλῷ γενέσθαι τραχυτέραν τὴν ἀρχήν. μέγιστον δὲ πάντων ἦν [τῶν ἀρεσκο]μένων τὸ δημοτικὸν εἶναι τῷ ἥθει καὶ φιλάνθρωπον. ἐν τε γὰρ τοῖς ἄλλοι[ις εἰώθει] πάντα διοικεῖν κατὰ τοὺς νόμους, οὐδεμίαν ἔαυτῷ πλεονεξίαν δίδ[ω]ς καὶ ποτ]ε προσκληθεὶς φόνου δίκην εἰς Ἀρείου πάγ[ον] αὐτὸς μὲν ἀπήντησεν ὡς [ἀπολο]γησόμενος, ὁ δὲ προσκαλεσάμενος φοβη-θεὶς ἔλιπεν. διὸ καὶ πολὺν χρόνον ἔμεινε [τυραννών],

¹ ‘Υμηττῷ : the reading is doubtful, but this is the locality named by Apostolius (cf. next note).

παττάλῳ : the word is very doubtful, except the first two letters. The story is told, though not in the same words, by several of the collectors of proverbs (cf. Zenobius, Cent. iv, Prov. 76; Apostolius, Cent. x, Prov. 80).

καὶ ποτε προσκληθεὶς κ.τ.λ. : cf. Arist. Pol. V. 12, Plut. Sol. 31.

εἰ]τ' ἔκπέσοι πάλιν ἐπελάμβανε ῥᾳδίωσ. ἐθούλοντο γὰρ καὶ τῶν γνωρίμων καὶ τῶν [δῆμο]τικῶν οἱ πολλοὶ· τοὺς μὲν γὰρ ταῖς ὁμιλίαις τοὺς δὲ ταῖς εἰς τὰ ἴδια βοηθείαις [ώφελησεν], καὶ πρὸς ἀμφοτέρους ἐπεφύκει καλῶς. ἡσαν δὲ καὶ τοῖς Ἀθηναίοις οἱ περὶ τῶν [τυ]ράννων νόμοι πρᾶοι κατ' ἔκείνους τοὺς καιροὺς οἵ τ' ἄλλοι καὶ δὴ καὶ ὁ μάλιστα καθ[ήκ]ων πρὸς τῆς τυραννίδος. νόμος γὰρ αὐτοῖς ἦν ὅδε· θέσμια τάδε Ἀθηναῖ[ων ἔστι] πάτρια, έάν [τιν]ες τυραννεῖν ἐπανίστω[ν]ται [ἢ] ἐπὶ τυραννίδι τι(s) συγκαθίστη τὴν τυραννίδα ἄτιμο[ν εἰν]αι αὐτὸν καὶ γένος.

17. Πισίστρατος μὲν οὖν ἐγκατεγήρασε τῇ ἀρχῇ καὶ ἀπ[έθ]ανε νοσήσα[ς ἐπὶ] Φιλονέω ἄρχοντος, ἀφ' οὗ μὲν κατέστη τὸ πρῶτον τύραννος ἔτη τριά[κο]ντα καὶ τρία βιώσας, ἀ δ' ἐν τῇ ἀρχῇ διέμεινεν ἐνὸς δέοντα εἴκοσι· ἔφ[υγ]εν γὰρ τὰ λοιπά. διὸ καὶ φανερῶς ληροῦσι φάσκοντες ἐρώμενον εἶναι Πισί- [Col. 7.] στρατον Σόλωνος καὶ στρατηγεῖν ἐν τῷ πρὸς Μεγαρέας πολέμῳ περὶ Σαλαμεῖνος· οὐ γὰρ ἐνδέχεται ταῖς ἡλικίαις ἔάν τις ἀναλογίζηται τὸν ἐκατέρου βίον καὶ ἐφ' οὗ ἀπέθανεν ἄρχοντος. τελευτήσαντος δὲ Πισίστράτου κατεῖχον οἱ νιεῖς τὴν ἀρχήν, προαγαγόντες τὰ πράγματα τὸν αὐτὸν τρόπουν. ἡσαν δὲ

πρὸς τῆς τυραννίδος: MS. πρὸς τ(ην) τ(ης) τυραννίδος, which seems to be a confusion between πρὸς τὴν τυραννίδα and πρὸς τῆς τυραννίδος. Probably the copyist began to write the former but changed to the latter, and forgot to strike out the την.

17. ἐγκατεγήρασε: MS. εγκατεγήρασε.

ἐπὶ Φιλονέω ἄρχοντος; the name of Philoneos does not occur in the list of archons previously known to us, but may now be inserted for the year 527 B.C. On the chronology of Pisistratus' life here summarised, see notes on ch. 14, εὐδοκιμηκώς κ.τ.λ. and ἔτει δὲ δωδεκάτη κ.τ.λ.,

δύο μὲν ἐκ τῆς γαμετῆς, Ἰππίας καὶ Ἰππαρχος, δύο δὲ ἐκ τῆς Ἀργείας, Ιόφων καὶ Ἡγησίστρατος, φαρωνύμιον δὲ Θέτταλος. ἔγημεν γὰρ Πισίστρατος ἐξ Ἀργους ἀνδρὸς Ἀργείου θυγατέρα, φὸνομα δὲ Γόργιλος, Τιμώνασσαν, δὲ πρότερον ἐσχεν γυναῖκα Ἀρχῖνος ὁ Ἀμπρακιώτης τῶν Κυψελιδῶν· ὅθεν καὶ ἡ πρὸς τοὺς Ἀργείους ἐνέστη φιλία, καὶ συνεμαχέσαντο χίλιοι τὴν ἐν Παλληνίδι μάχην Πεισιστράτου κομίσαντος. γῆμαι δέ φασι τὴν Ἀργείαν οἱ μὲν ἐκπεσόντα τὸ πρώτον, οἱ δὲ κατέχοντα τὴν ἀρχήν.

18. Ήσαν δὲ κύριοι τῶν μὲν πραγμάτων διὰ τὰ ἀξιώματα καὶ διὰ τὰς ἡλικίας Ἰππαρχος καὶ Ἰππίας, πρεσβύτερος δὲ ὁ Ἰππίας καὶ τῇ φύσει πολιτικὸς καὶ ἔμφρων ἐπεστάτει τῆς ἀρχῆς. ὁ δὲ Ἰππάρχος παιδιώδης καὶ ἐρωτικὸς καὶ φιλόμουσος δὲ, καὶ τοὺς περὶ Ἀνακρέοντα καὶ Σιμωνίδην καὶ τοὺς ἄλλους ποιήτας οὗτος δὲ ὁ μεταπεμπόμενος Θέτταλος δὲ νεώτερος πολὺ καὶ τῷ βίῳ θρασὺς καὶ ὑβριστής. ἀφ' οὗ καὶ συνέβη τὴν ἀρχὴν αὐτοῖς γενέσθαι

ἐκ τῆς γαμετῆς: the name of Pisistratus' first wife is not known.

Ἡγησίστρατος, φαρωνύμιον δὲ Θέτταλος: Thessalus is mentioned by Thucydides (I. 20) and also by Plutarch (*Cato*, 24), who calls him the son of Pisistratus and Timonassa; Hegesistratus is named by Herodotus (V. 94), who calls him παῖδα νόθον γεγονότα ἐξ Ἀργείης γυναικός; but there has been nothing hitherto to show their identity. Herodotus can hardly be correct in calling him illegitimate; for Pisistratus must have been regularly married to Timonassa, if the union was accompanied by an alliance with Argos.

18. τοὺς περὶ Ἀνακρέοντα καὶ Σιμωνίδην: the presence of these two poets at Athens under the patronage of Hipparchus is also mentioned in the pseudo-Platonic dialogue *Hipparchus*, p. 228 C.

ἀφ' οὗ καὶ συνέβη κ.τ.λ.: in face of the direct testimony of Thucydides (VI. 54) it seems impossible to refer the relative to its natural antecedent, Thessalus, and it therefore seems better to treat the words Θέτταλος . . . ὑβριστής as a parenthesis, and to suppose that Aristotle is

πάντων τῶν κακῶν. ἐρασθεὶς γὰρ τοῦ Ἀρμοδίου καὶ διαμαρτάνων τῆς πρὸς αὐτὸν φιλίας, οὐ κατεῖχε τὴν ὄργην ἀλλ' ἐν τε τοῖς ἀλλοῖς ἐνεσήμαινε τὸ πικ[ρόν], καὶ τὸ τελευταῖον μέλλουσαν αὐτοῦ τὴν ἀδελφὴν κανηφορεῖν Παναθηναίοις ἐ[κώ]λυσεν λοιδορήσας τι τὸν Ἀρμόδιον ὡς μαλακὸν ὅντα, ὅθεν συνέβη παροξυνθέντας [τὸν] Ἀρμόδιον καὶ τὸν Ἀριστογείτονα πράττειν τὴν πρᾶξιν μετὰ πολιτῶν πολλῶν. ἦδη δὲ [παρατη]ροῦντες ἐν ἀκροπόλει τοῖς Παναθηναίοις Ἰππίαν (ἐτύγχανεν γὰρ οὗτος μετερχόμενος, ὁ δ' Ἰππαρχος ἀποστέλλων τὴν πομπήν), ἴδοντες τινὰ τῶν κοινωνούντων τῆς πρά-

still speaking of Hipparchus. Among the fragments of Heraclides περὶ πολιτείας Ἀθηναίων (preserved in a Vatican MS., cf. Rose, *Frag.* 611, ed. 1886), a work which was evidently an epitome of Aristotlé, is the following summary of this passage, but so confused as to lend no assistance, Πειστότρατος λαχεῖτη τυραννίσας γηράσας ἀπίθανεν. Ἰππαρχος δὲ νιὸς Πεισιστράτου παιδιώδης ἦν καὶ ἐρωτικὸς καὶ φιλόμουσος, Θέσσαλος δὲ νεώτερος καὶ θρασύς. τούτον τυραννοῦντα μὴ δυνηθέντα (ορ-ες) ἀνελεῖν Ἰππαρχον ἀπέκτεινε (ορ-αν) τὸν ἀδελφὸν αὐτοῦ. Ἰππίας δὲ πικρότατα ἐτυράννει, καὶ τὸν περὶ ὀστρακισμοῦ νόμον εἰσηγήσατο, διε ἐτέθη διὰ τοὺς τυραννούντας. καὶ ἄλλοι τε ὀστρακισθέσαν καὶ ξάνθιππος καὶ Ἀριστείδης.

πολιτῶν: the first letters of this word are doubtful. Thucydides (VI. 56) expressly says that the conspirators were *not* many in number, ήσαν δὲ οὐ πολλοὶ οἱ ξυνομωμοκότες ἀσφαλείας ἔνεκα.

ἐν ἀκροπόλει: this differs from the account of Thucydides, who says that Hippias was in the Ceramicus, organising the procession, when Harmodius and Aristogeiton were alarmed by seeing one of their confederates talking to him. The account of Thucydides is more in detail than that of Aristotle, and particularises that the two murderers, on being thus alarmed, rushed *inside the gates* till they met Hipparchus. It is moreover not likely that any of those who were going to take part in the procession would be in the Acropolis while the procession had not yet started. Aristotle's account is, however, also consistent with itself, in saying that they came *down* from the Acropolis to look for Hipparchus.

ὁ δὲ Ἰππαρχος ἀποστέλλων τὴν πομπήν: this again is not in accordance with Thucydides, who says it was Hippias who was arranging the procession.

[ξ]εως φιλανθρώπως ἐντυγχάνοντα ἦφ 'Ιππίᾳ καὶ νομίσαντες μηνύειν, βουλόμενοί τι δρᾶσαι πρὸ τῆς συλλήψεως, καταβάντες καὶ προεξανάσταντες τῶν [ἄλλων] τὸν μὲν Ἱππαρχον διακ[οσ]μοῦντα τὴν πομπὴν παρὰ τὸ Λεωκόρειον ἀπέκτειναν. [τὴν μὲν οὖν ὅλην ἐλυμήναντο πρᾶξιν, αὐτῶν δ' ὁ μὲν Ἀρμόδιος εὐθέως ἐτελεύτησεν ὑπὸ τῶν δ[ορυφό]ρων, ὁ δ' Ἀριστο[γε]ίτων ὕστερον συλληφθεὶς καὶ πολὺν χρόνον αἰκισθείς, κατηγόρησεν δ' ἐν [τ]αῖς ἀνάγκαις πολλῶν οἱ καὶ [τῇ] φύσει τῶν ἐπιφανῶν καὶ φίλοι τοῖς τυράννοις ἦσαν. οὐ [γὰρ ἐ]δύναντο παραχρῆμα λαβεῖν οὐδὲν ἵχνος τῆς πράξεως, ἀλλ' ὁ λεγόμενος λόγος ὡς ὁ Ἱππίας ἀποστήσας ἀπὸ τῶν ὅπλων τοὺς πομπεύοντας ἐφώρασε τοὺς τὰ ἐγχειρίδια ἔχοντας οὐκ ἀληθής ἐστιν· οὐ γὰρ ἐπέμποντο μεθ' ὅπλων, ἀλλ' ὕστερον τοῦτο κατεσκεύασεν ὁ δῆμος. κατηγόρει δὲ τῶν τοῦ τυράννου φίλων, ὡς μὲν οἱ δημοτικοί φασιν, ἐπίτηδες ἵνα ἀσεβήσαιεν ἄμα καὶ γένοιντο ἀγεννεῖς ἀνελόντες

παρὰ τὸ Λεωκόρειον: the exact phrase of Thucydides, which shows Arnold's conjecture περὶ to be unnecessary.

πολὺν χρόνον αἰκισθείς: Thucydides' οὐ ῥᾳδίως διετέθη.

ὁ λεγόμενος λόγος κ.τ.λ.: this is the story given by Thucydides. In favour of his version it is to be noticed that if this fact be false the reason which he gives for the selection of the occasion of the Panathenaea for the attempt, namely that then people could appear in arms without attracting suspicion, falls to the ground. On the other hand it is perhaps unlikely that the tyrants should have allowed the populace to carry arms on any occasion whatever; and the conspirators might still select a time for their attempt when a great number of people would be collected together from all parts of Attica. Moreover Aristotle would hardly have made a direct assertion as to the later origin of the practice of carrying arms at this festival unless he had been sure of the facts.

ἀληθής: MS. αληθες.

τοὺς ἀναιτίους καὶ φίλους ἐφυτῶν, ὡς δὲ ἔνιοι λέγουσιν, οὐχὶ πλαττόμενος ἀλλὰ τοὺς συνειδότας ἐμήνυεν. καὶ τέλος ὡς οὐκ ἡδύνατο πάντα ποιῶν ἀποθανεῖν, ἐπαγγειλάμενος ὡς ἄλλους μηνύσων πολλοὺς καὶ πείσας αὐτῷ τὸν Ἰππίαν δοῦναι τὴν δεξιὰν πίστεως χάριν, ὡς ἔλαβεν ὄνειδίσας ὅτι τῷ φονεῖ τοῦ ἀδελφοῦ τὴν δεξιὰν δέδωκε οὕτω παρώξυνε τὸν Ἰππίαν ὥσθ' ὑπὸ τῆς ὄργῆς οὐ κατεῖχεν ἔαυτὸν ἀλλὰ σπασάμενος τὴν μάχαιραν διέφθειρεν αὐτόν.

19. Μετὰ δὲ ταῦτα συνέβαινεν πολλῷ τραχυτέραν εἶναι τὴν τυραννίδα· καὶ γὰρ διὰ τὸ τιμωρεῖν τῷ ἀδελφῷ καὶ διὰ τὸ πολλοὺς ἀνηρηκέναι καὶ ἐκβέβληκέναι πᾶσιν ἦν ἄπιστος καὶ πικρός. ἔτει δὲ τετάρτῳ μάλιστα μετὰ τὸν Ἰππάρχου θάνατον, ἐπεὶ κακῶς εἶχεν τὰ ἐν τῷ ἄστει, τὴν Μουνυχίαν ἐπεχείρησε τειχίζειν, ὡς ἔκει μεθιδρυσόμενος. ἐν τούτοις δὲ ὅντις ἐξέπεσεν ὑπὸ Κλεομένους τοῦ Λακεδήμονος βασιλέως, χρησμῷ γινομένων ἀεὶ τοῖς Λάκωσι καταλύειν τὴν τυραννίδα διὰ τοίανδ' αἰτίαν]. οἱ φυγάδες, δῶν οἱ Ἀλκμεωνίδαι προειστήκεσσαν, αὐτοὶ μὲν δι' αὐτῶν οὐκ ἡδύναντο ποιήσασθαι τὴν κάθοδον, ἀλλ' αἰεὶ προσέπταιον· ἐν τε γὰρ τοῖς [Col. 8.]

τοῦ ἀδελφοῦ: MS. ταδελφον, a curious synaloepha which is repeated a few lines below, ταδελφωι for τῷ ἀδελφῷ.

19. πικρός: it is almost certain that the MS. reading is πιστός, but if so it is plainly a slip of the copyist, and πικρός is sufficiently like that word to explain the blunder.

κακῶς: the MS. at first had *εν κακωι*, but it is corrected to *κακως*.

τὴν Μουνυχίαν ἐπεχείρησε τειχίζειν: this circumstance is not mentioned in the extant historians.

Λακεδήμονος: the spelling of the MS. is preserved.

ἄλλοις οῖς ἔπραττον διεσφάλλοντο, καὶ τειχίσαντες
ἐν τῇ χώρᾳ Λιψύδριον τὸ ὑπὲρ Πάρνηθος, εἰς ὁ
συνεξῆλθόν τινες τῶν ἐκ τοῦ ἄστεως, ἐξεπολιορκή-
θησαν ὑπὸ τῶν τυράννων, ὅθεν ὕστερον μετὰ ταύτην
τὴν συμφορὰν ἥδον ἐν τοῖς σκολίοις αἰεί·

αἰαῖ Λιψύδριον προδωσέταιρον,
οῖους ἄνδρας ἀπωλέσας μάχεσθαι
ἀγαθούς τε καὶ εὐπατρίδας,
οἱ τότ’ ἔδειξαν οιων
πατέρων ἔσαν.

ἀποτυγχάνοντες οὖν ἐν ἄπ[α]σι τοῖς ἄλλοις ἐμισθώ-
σαντο τὸν ἐν Δελφοῖς νεών οἰκοδομεῖν ὅθεν εὐπό-
ρησαν χρημάτων, πρὸς τὴν τῶν Λακώνων βοήθειαν.
ἡ δὲ Πιθία προέφερεν αἰεὶ τοῖς Λακεδαιμονίοις
χρηστηριαζομένοις ἐλευθεροῦν τὰς Ἀθήνας. εἰς
τοῦτ’ εὐθέως προὔτρεψε τὸν Σπαρτιάτας, καίπερ
ὅντων ξένων αὐτοῖς τῶν Πεισιστρατιδῶν· συνε-
βάλλετο δὲ οὐκ ἐλάττω μοῖραν τῆς ὄρμῆς τοῖς

Λιψύδριον: there is a reference to this passage in Schol. Aristoph. *Lysist.* 666, Λειψύδριον' χωρίον τῆς Ἀττικῆς περὶ τὴν Πάρνηθον εἰς ὁ συνῆλθόν τινες τῶν ἐκ τοῦ ἄστεως, ὡς φησιν Ἀριστοτέλης ἐν Ἀθηναίων πολιτείᾳ (Rose, *Frag.* 356). The passage of the same scholiast (l. 665) οἱ λυκόποδες, referring to Aristotle as using this name for the bodyguard of the tyrants, which Rose includes under the same number, is evidently from some other work. The scholiast (l. 1153) further refers to Aristotle as his authority for the summary which he gives of the expulsion of the Pisistratidae through the agency of the Spartans, in which one or two phrases are verbally quoted from the present passage (Rose, *Frag.* 357).

αἰαῖ Λιψύδριον: this song is also quoted by Athenaeus (XV. 695, scol. 22), and in *Etym. Mag.* s. v. ἐπὶ Λειψύδριψ μάχη. The compiler of the latter work seems, from other phrases used by him (e.g. ἡνὶ οἱ Ἀλκμαιωνίδαι προεστήκεσσαν), to have had the work of Aristotle before him.

οἱ τότ’ ἔδειξαν: E. M. ὅποτ’ ἔδειξαν, but the present reading, which is also given by Athenaeus, is much superior.

συνεβάλλετο δὲ κ.τ.λ.: this certainly helps to explain the action of the

Λάκωσιν ἡ πρὸς τὸν Ἀργείους τοῖς Πεισιστρατιδαῖς ὑπάρχοντα φιλία. τὸ μὲν οὖν πρῶτον Ἀγχίμολον ἀπέστειλαν κατὰ θάλατταν ἔχοντα στρατιάν. ἡττω- [θέν]τος δ' αὐτοῦ καὶ τελευτήσαντος διὰ τὸ Κινέαν βοηθῆσαι τὸν Θέσσαλον ἔχοντα χιλίους ἵππεῖς, προσοργισθέντες τῷ γενομένῳ Κλεομένην ἐξέπεμψαν τὸν βασιλέα στόλον ἔχοντα μείζω κατὰ γῆν, ὃς ἐπεὶ τὸν τῶν Θεσσάλων ἵππεῖς ἐνίκησεν κωλύ- οντας αὐτὸν εἰς τὴν Ἀττικὴν παριέναι, κατακλείσας τὸν Ἰππίαν εἰς τὸ καλούμενον Πελαργικὸν τεῖχος ἐπολιόρκει μετὰ τῶν Ἀθηναίων. προσκαθημένου δ' αὐτοῦ συνέπεσεν ἐπεξιόντας ἀλῶναι τὸν τῶν Πισιστρατιδῶν υἱεῖς· ὃν ληφθέντων ὄμολογίαν ἐπὶ τῇ τῶν παιδῶν σωτηρίᾳ ποιησάμενοι καὶ τὰ ἔαυτῶν ἐν πένθῃ ἡμέραις ἐκκομισάμενοι παρέδωκαν τὴν ἀκρόπολιν τοῖς Ἀθηναίοις ἐπὶ Ἀρπακτίδου ἀρ- χοντος, κατασχόντες τὴν τυραννίδα μετὰ τὴν τοῦ

Spartans in expelling the Pisistratidae, but there is no reason to doubt that the reiterated command of the Delphic oracle had a great influence over them in the matter.

Ἀγχίμολον: in Herodotus (V. 63) the name is given as Ἀγχιμόλιος, but in the note of the scholiast on Aristophanes, referred to above, the Ravenna MS. reads Ἀγχίμολος.

χιλίους: MS. χειλίους.

κωλύοντας αὐτὸν εἰς τὴν Ἀττικὴν παριέναι: so Herodotus (V. 64), ἐσβαλούστι εἰς τὴν Ἀττικὴν χώρην.

τὸ καλούμενον Πελαργικὸν τεῖχος: the form Πελαργικόν is confirmed by the scholiast on Aristophanes, while Πελασγικόν is used in the parallel passage in Herodotus (*l. c.*) and in Thuc. II. 17.

ἐπὶ Ἀρπακτίδου ἀρχοντος: the word was at first written Αρπακιδου, and the *τ* is inserted above the line. The name is a new one in the list of archons, and must be placed in the year 511 B.C. The expulsion of the Pisistratidae occurred in the fourth year of Hippias' sole rule (Thuc. VI. 59, πανθεὶς ἐν τῷ τετάρτῳ), which began in 514 B.C. It therefore falls in the official year 511-10 B.C. This harmonises with the statement below that the archonship of Isagoras, which was certainly in 508 B.C.,

πάτρὸς τελευτὴν ἔτη μάλιστα ἑπτακαίδεκα, τὰ δὲ σύμπαντα σὺν οἷς ὁ πατὴρ ἦρξεν ἐνὸς δεῦ πεντήκοντα.

20. Καταλυθείσης δὲ τῆς τυραννίδος ἐστασίαζον πρὸς ἄλλ[ήλ]ους Ἰσαγόρας ὁ Τισάνδρου, φίλος ὁν τῶν τυράννων, καὶ Κλεισθένης τοῦ γένους ὁν τῶν Ἀλκμεονιδῶν. ἡγημένος δὲ ταῖς ἑταιρείαις ὁ Κλεισθένης προσηγάγετο τὸν δῆμον, ἀποδίδους τῷ πλήθει τὴν πολιτείαν. ὁ δὲ Ἰσαγόρας ἐπιλειπόμενος τῇ δυνάμει πάλιν ἐπικαλεσάμενος τὸν Κλεομένην, ὅντα ἑαυτῷ ἔνον, συνέπεισεν ἐλαύνειν τὸ ἄγος, διὰ τὸ τοὺς Ἀλκμεωνίδας δοκεῖν εἶναι τῶν ἔναγῶν. ὑπεξελθόντας δὲ τοῦ Κλεισθένους μετ' ὀλίγων, ἡγηλάτει τῶν Ἀθηναίων ἑπτακοσίας οἰκίας· ταῦτα δὲ διαπραξάμενος τὴν μὲν βουλὴν ἐπειράτο καταλύειν, Ἰσαγόραν δὲ καὶ τριακοσίους τῶν φίλων μετ' αὐτοῦ κυρίους καθιστάναι τῆς πόλεως. τῆς δὲ

was in the fourth year after the expulsion. The only statement which is not strictly in accordance with it is that of Thucydides (*l. c.*) that Hippias fought at Marathon in the twentieth year after his expulsion. It was actually twenty years and a few months afterwards; but there is no reason to press the round number of Thucydides to the full extent of literal accuracy.

ἐνὸς δεῦ πεντήκοντα: the scholiast on Aristoph. *Wasps*, 502, quotes Aristotle as saying that the tyranny lasted forty-one years (Rose, *Frag.* 358), but if the citation is correct it must be from some other work. The forty-nine years named by Aristotle of course represent the total period from the first tyranny of Pisistratus to the expulsion of his sons, ignoring the periods of exile; while the thirty-six years which Herodotus assigns (V. 65) include only the years of actual rule. It may be noticed that the latter total supports the period of nineteen years of government given to Pisistratus in the present work, as against the seventeen mentioned in the *Politics* (*cf.* note on ch. 14, ἔτει δὲ δωδεκάτῳ).

20. ἐστασίαζον πρὸς ἄλλήλους κ.τ.λ.: in this account of the rise, expulsion, and recall of Cleisthenes Aristotle follows Herodotus (V. 66, 69, 70, 72) closely and sometimes almost verbally.

μετ' αὐτοῦ: MS. μ(ετα) τον, the preposition being abbreviated, as usual.

βουλῆς ἀντιστάσης καὶ συναθροισθέντος τοῦ πλήθους, οἱ μὲν περὶ τὸν Κλεομένην καὶ Ἰσαγόραν κατέφυγον εἰς τὴν ἀκρόπολιν· ὁ δὲ δῆμος δύο μὲν ἡμέρας προσκαθεζόμενος ἐπολιόρκει, τῇ δὲ τρίτῃ Κλεομένην μὲν καὶ τοὺς μετ' αὐτοῦ πάντας ἀφίεσαν ὑποσπόνδους, Κλεισθένην δὲ καὶ τοὺς ἄλλους φυγάδας μετεπέμψαντο. κατασχόντος δὲ τοῦ δήμου τὰ πράγματα Κλεισθένης ἡγεμὼν ἦν καὶ τοῦ δήμου προστάτης. αἰτιώτατοι γὰρ σχέδον ἐγένοντο τῆς ἐκβολῆς τῶν τυράννων οἱ Ἀλκμεωνίδαι, καὶ στασιάζοντες τὰ πολλὰ διετέλεσαν. ἔτι δὲ πρότερον τῶν Ἀλκμεονιδῶν Κήδων ἐπέθετο τοῖς τυράννοις· διὸ καὶ οὗδον καὶ εἰς τοῦτον ἐν τοῖς σκολίοις.

• ἔγχει καὶ Κήδωνι, διάκονε, μηδὲ ἐπιλήθου,
εἰ χρὴ τοῖς ἀγαθοῖς ἄνδρασιν οἰνοχοεῖν.

21. Διὰ μὲν οὖν ταύτας τὰς αἰτίας ἐπίστευον ὁ δῆμος τῷ Κλεισθένει. τότε δὲ τοῦ πλήθους προεστηκὼς ἔτει τετάρτῳ μετὰ τὴν τῶν τυράννων κατάλυσιν ἐπὶ Ἰσαγόρου ἄρχοντος, πρῶτον μὲν οὖν

πάντας ἀφίεσαν ὑποσπόνδους: from the account of Herodotus it appears that this applies only to the Lacedaemonian force with Cleomenes, as the Athenians who were in the Acropolis were all put to death, with the exception of Isagoras.

Κήδων: of this person and his attempt to expel the tyrants nothing seems to be known, but it must be one of the various attacks which the exiles are said to have made upon the Pisistratidae in the later years of the reign of Hippias (*supr. ch. 19*), among which was the disastrous occupation of Leipsydrium.

ἔγχει κ.τ.λ.: quoted by Athenaeus (XV. 695, scol. 21), where, however, the reading of the second line is *εἰ δὴ χρὴ ἀγαθοῖς*.

21. ἐπίστευον: at first written ἐπίστευεν, but corrected to the plural; and, as the corrections in the MS. are generally entitled to respect, it seems better to accept the amended reading here.

ἔτει τετάρτῳ . . . ἐπὶ Ἰσαγόρου ἄρχοντος: the archonship of Isagoras is fixed by Dion. Hal. (*Ant. I. 74, V. 1*) as occurring in 508 B. C. The

ἔνειμε πάντας εἰς δέκα φυλὰς ἀντὶ τῶν τεττάρων, ἀναμῖξαι βουλόμενος ὅπως μετασχῶσι πλείους τῆς πολιτείας· ὅθεν ἐλέχθη καὶ τὸ μὴ φυλοκρινεῖν [Col. 9.] πρὸς τοὺς ἔξετάζειν τὰ γένη βουλομένους. ἔπειτα τὴν βουλὴν πεντακοσίους ἀντὶ τετρακοσίων κατέστησεν, πεντήκοντα ἐξ ἑκάστης φυλῆς· τότε δὴ[σα]ν ἑκατόν. διὰ τοῦτο δὲ οὐκ εἰς δώδεκα φυλὰς συνέταξεν, ὅπως αὐτῷ μὴ συμβαίνῃ μερίζειν

Parian marble places it seventeen years before the battle of Marathon, but in this case it must be in error. As it is clear from Dionysius that the archonship of Isagoras was in an Olympic year, it must be that which began in July, 508 B. C. This is the fourth official year after the expulsion of the Pisistratidae, which occurred (as appears from ch. 19) in the official year 511-10 B. C., seemingly in the early part of 510 B. C.

The note of time in this passage shows that the constitution of Cleisthenes was not drawn up until after the expulsion of Cleomenes and Isagoras. This would have been probable *a priori*, as there was not time to have introduced such extensive constitutional changes before the Spartan invasion; but the order in which the occurrences are mentioned by Herodotus has misled some historians into supposing the contrary.

τὸ μὴ φυλοκρινεῖν: the meaning of this phrase apparently is that since the φυλαί after the reforms of Cleisthenes no longer bore any relation to the γένη, it was useless to enter on an examination of the tribes for the purpose of reviewing the lists of the γένη. Cleisthenes wished to break up the old tribal division for political purposes, so as to do away with all the old aristocratic traditions and associations which no doubt stood in the way of the lower classes when they wished to take part in public life. Therefore, while retaining the name φυλαί, he made his new tribes of a number to which the number of the old tribes bore no integral proportion, so that it was not possible to form the new ones out of any of the existing subdivisions of the old. A number of persons were admitted to the new tribes who had not been members of the old, and these were not necessarily entered on the rolls of any of the γένη. Formerly, on any review of the citizen-roll, it was no doubt usual to go through it tribe by tribe, following all the subdivisions of the old patriarchal system. Now the tribe-roll had no relation to that of the γένη, and consequently those persons who wished to examine the latter would have nothing to do with distinctions of tribes. The phrase seems, from the way in

κατὰ τὰς προῦπαρχούσας τριττύς· ἥσαν γὰρ ἐκ ὁ φυλῶν δώδεκα τριττύες, ὥστ' οὐ [συν]έπιπτεν ἀναμίσγεσθαι τὸ πλῆθος. διένειμε δὲ καὶ τὴν χώραν κατὰ δῆμους τριάκοντα μέρη, δέκα μὲν τῶν περὶ τὸ ἄστυ, δέκα δὲ τῆς παραλίας, δέκα δὲ τῆς μεσογείου, καὶ ταύτας ἐπονομάσας τριττύς ἐκλήρωσεν τρεῖς εἰς τὴν φυλὴν ἑκάστην, ὅπως ἑκάστη μετέχῃ πάντων τῶν τόπων· καὶ δημότας ἐποίησεν ἀλλήλων τοὺς οἰκοῦντας ἐν ἑκάστῳ τῶν δήμων, ἵνα μὴ πατρόθεν προσαγορεύοντες ἔξελέγχωσιν τοὺς νεοπολίτας,

which Aristotle introduces it, to have become a proverbial one, perhaps for making useless distinctions; and this, rather than any stricter sense, may be its meaning in Thuc. VI. 18, where it is to be preferred to the otherwise unknown φιλοκριεῖν.

κατὰ τὰς προῦπαρχούσας: at first written πρὸς τ. π., but corrected.

συνέπιπτεν: written συνεπειπτεν in the MS., if this is the right restoration of the word, part of which is lost.

διένειμε δὲ καὶ τὴν χώραν κατὰ δῆμους τριάκαρτα μέρη; this passage does nothing to clear up the difficulty as to the number of the demes which arises from the words of Herodotus (V. 69). It merely explains how the local sub-division of the tribes was managed so as to secure that the territories of each should be scattered over the whole of Attica. The fact that the tribes were so sub-divided has of course been well-known, not, however, from any direct statement by Herodotus or other ancient author, but from the fact that the various demes of the several tribes are found in different parts of the country. It appears from the present passage that each tribe had three sub-divisions, one in each of the three districts into which Attica had formerly been divided. We are not told how many demes there were in each trittys; but if the text of Herodotus is correct in saying that there were ten in each tribe, it follows that they must have been unevenly distributed among the trittyes; and this must anyhow have been the case as the number of the demes gradually increased up to the total of 174, to which we know it had attained in the third century B.C. (Polemo *ap.* Strabo, IX. 1, p. 396). The demes composing each trittys appear to have been contiguous.

ἔξελέγχωσιν τοὺς νεοπολίτας: Cleisthenes introduced a large number of new citizens by the enfranchisement of emancipated slaves and resident aliens, and he made their reception into the community easier by altering the official mode of designation. If described by their

ἀλλὰ τῶν δήμων ἀναγορεύωσιν· ὅθεν καὶ καλ[οῦ]-
τιν Ἀθηναῖοι σφᾶς αὐτοὺς τῶν δήμων. κατέστησε
δὲ καὶ δημάρχους τὴν αὐτὴν ἔχοντας ἐπιμέλειαν
τοὺς πρότερον ναυκράροις· καὶ γὰρ τοὺς δήμους
ἀντὶ τῶν ναυκραριῶν ἐποίησεν· προσηγόρευσε δὲ
τῶν δήμων τοὺς μὲν ἀπὸ τῶν [τ]όπ[ων], τοὺς δὲ ἀπὸ
τῶν κτισάντων· οὐ γὰρ ἀπαντεῖς ὑπῆρχον ἔτι τοῖς
τόποις. τὰ δὲ γένη καὶ τὰς φρατρίας καὶ τὰς
ἱερωσύνας εἴασεν ἔχειν ἐκάστους κατὰ τὰ πάτρια.

father's name alone, the new citizens who, so to speak, 'had no father,' would be easily distinguished from the older citizens, who were proud of their family pedigrees ; but by adding the name of the deme as part of the necessary description a novelty was introduced into the designation of all alike, and the fact of a man having a deme would be sufficient proof of his being a citizen, which in the case of those newly admitted to the franchise would not be obvious from the unfamiliar and sometimes foreign name of his father.

κατέστησε δὲ καὶ δημάρχους . . . ἐποίησεν : quoted by Harpocration (s. v. *ναυκραρικά*) as from *Ἀριστοτέλης ἐν Ἀθηναῖων πολιτείᾳ*, and he refers to the same passage s. v. *δημαρχος* (Rose, *Frag.* 359). The second Berlin fragment (Blass, *Hermes* XV, Diels, *Berl. Acad.* 1885) also begins at the same place, with the exception of the single word 'Αθηναῖοι standing in the preceding line ; and it was through the identity of the remains of the first sentence with the quotation in Harpocration that Bergk (*Rhein. Mus.* 1881, p. 91) first proved the Berlin fragments to belong to Aristotle's work. The second fragment includes twenty-five lines, but only twelve or fourteen letters in each are visible. The first word legible is 'Αθηναῖοι, as mentioned above : the last which can be identified are [φυ]λῆς ἐκάστης. This passage is also quoted by a scholiast on Aristophanes (*Clouds*, 37), who may, however, have derived it from Harpocration (Rose, ed. 1886, *Frag.* 397).

ἐπιμέλειαν : MS. *επιμελιαν*.

οὐ γὰρ ἀπαντεῖς ὑπῆρχον ἔτι τοῖς τόποις : it is difficult to extract a satisfactory sense from the words as they stand. The meaning seems to be either that some of the localities now erected into demes had no founders from whom they could be called, or that they had no names of their own. In the one case it is an explanation of the practice of naming a deme from its local appellation when it had no founder of any note to call it by, in the other of that of naming it from its founder when it had no name already of its own. In either case it would seem that *ἄναστοις* is the right reading rather than *ἄναρτοις*,

ταῖς δὲ φυλαῖς ἐποίησεν ἐπωνυμ[ίας] ἐκ τῶν προκριθέντων ἐκατὸν ἀρχηγετῶν οὓς ἀνεῖλεν ἡ Πυθία δέκα.

22. Τούτων δὲ γενομένων δημοτικωτέρα πολ[ὺ τῆς Σ]όλωνος ἐγένετο ἡ πολιτεία· καὶ γὰρ συνέβη τοὺς μὲν Σόλωνος νόμους ἀφανίσαι τὴν τυραννίδα διὰ τὸ μὴ χρῆσθαι, τοὺς δὲ ἄλλους θεῖναι τὸν Κλεισθένην στοχαζόμενον τοῦ πλήθους, ἐν οἷς ἐτέθη καὶ ὁ περὶ τοῦ ὀστρακισμοῦ νόμος. πρῶτον μὲν οὖν ἔτει *πέμπτῳ* μετὰ ταύτην τὴν κατάστασιν ἐφ' Ἐρμουκρέοντος ἀρχοντος τῇ βουλῇ τοῖς πεντακοσίοις τὸν ὄρκον ἐποίησαν οὖν ἔτι καὶ νῦν ὀμηύουσιν· ἐπειτα τοὺς στρατηγοὺς ἥροῦντο κατὰ φυλάς, ἐξ ἐκάστης

οὓς ἀνεῖλεν ἡ Πυθία: the share which the Delphic oracle had in choosing the names of the ten Cleisthenean tribes is mentioned in the Etym. Mag. p. 369, 16, ταῦτα δὲ τὰ δέκα ὀνόματα ἀπόροις δὲ Πύθεος εἴλετο, and Lex. Demosth. Patm. (p. 15, ed. Sakk.), τούτους γὰρ ἐξ δυομάτων ἐκατὸν δὲ θεὸς ἐξελέξατο (Rose, *Frag.* 429, and ed. 1886, *Frag.* 469).

22. ἐφ' Ἐρμουκρέοντος ἀρχοντος: the dates here given absolutely refuse to harmonise. The reforms of Cleisthenes have been above assigned to the archonship of Isagoras in 508 B.C. The year denoted by ἔτει πέμπτῳ μετὰ ταύτην τὴν κατάστασιν would therefore naturally be 504 B.C. But in the first place that year is already appropriated by the name of Acestorides; and, secondly, in the next sentence it is said that the battle of Marathon occurred in the twelfth year afterwards. The date of Marathon being unquestionably 490 B.C., this places the archonship of Hermoucreon in 501 B.C., for which year no name occurs in the extant lists. We must therefore suppose either that the reforms of Cleisthenes extended over three years, which is improbable, or that Aristotle has omitted some necessary note of time, or that πέμπτῳ is a mistake for δυδόῳ (ε' for η'); the latter solution is perhaps the most probable.

τοὺς στρατηγούς: it has generally been stated (e.g. by Grote) that the office of στρατηγός was created by Cleisthenes, but it has already been seen in ch. 4 that it was at least as old as the time of Draco. Cleisthenes did not even, as it now appears, increase their number to ten nor make them the chief officers of the state. Under his constitution the archons, who were elected directly by the assembly (c.f. below, note ον ἐκάμενος κ.τ.λ.), were still the chief magistrates of the state; and

φυλῆς ἔνα, τῆς δὲ ἀπάσης στρατιᾶς* ἡγεμὸν ἦν ὁ πόλέμαρχος. ἔτει δὲ μετὰ ταῦτα δυοδεκάτῳ νικήσαντες τὴν ἐν Μαραθῶνι μάχην ἐπὶ Φαινίππου ἄρχοντος, καταλιπόντες ἔτη δύο μετὰ τὴν νίκην, θαρροῦντος ἡδη τοῦ δήμου, τότε πρῶτον ἔχρήσαντο τῷ νόμῳ τῷ περὶ τὸν ὀστρακισμόν, ὃς ἐτέθη διὰ τὴν ὑποψίαν τῶν ἐν ταῖς δυνάμεσιν, ὅτι Πισίστρατος δημαγωγὸς καὶ στρατηγὸς ὅν τύραννος κατέστη· καὶ πρῶτος ὀστρακίσθη τῶν ἐκείνου συγγενῶν

the ten strategi were only elected at the date here indicated as subordinates to the polemarch.

ὅτι Πισίστρατος κ.τ.λ.: MS. *οὐτε*, which makes nonsense of the passage. It has just been said that the law of ostracism was passed by Cleisthenes. Cf. also the quotation from Harpocration below, in which this sentence is repeated with slight variation. The law was passed in consequence of the lesson taught by the career of Pisistratus, and was aimed especially at the supporters of his house who still remained in Athens. It was not put into force, however, owing (according to Aristotle) to the usual leniency of the democracy (and in respect of this testimony it may be remembered that Aristotle is not by any means an extreme admirer of democracy); but when the Persian invasion and the attempt to betray Athens immediately after the battle of Marathon showed that there was still much danger to be expected from the partisans of Hippias, it was natural that strong measures should be adopted and the leading adherents of the tyranny expelled. The only wonder is that two years were allowed to elapse after Marathon before the first ostracism; but probably in the first satisfaction with the victory it was thought that nothing further would be attempted against Greece, and it was only when it was known that Darius was making preparations for another and more formidable invasion, that precautions were taken by ostracising Hipparchus and other members of the same party.

πρῶτος ὀστρακίσθη . . . "Ιππαρχος: cf. Harpocration, s. v. "Ιππαρχος, ἄλλος δέ ἐστιν" Ιππαρχος δὲ Χάρμου, ὁς φησι Λύκουργος ἐν τῷ κατὰ Λεωκράτους" περὶ δὲ τούτου Ἀνδροτίων ἐν τῇ β' φησιν ὅτι συγγενὴς μὲν ἦν Πισίστράτου τοῦ τυράννου καὶ πρῶτος ἐξωστρακίσθη τοῦ περὶ τὸν ὀστρακισμὸν νόμου τότε πρῶτον τεθέντος διὰ τὴν ὑποψίαν τῶν πέρὶ Πισίστρατον, ὅτι δημαγωγὸς ὅν καὶ στρατηγὸς ἐτυράννισεν. As a matter of fact the Hipparchus mentioned by Lycurgus (*Contr. Leocr.* p. 164) is not the son of Charmus, but of Timarchus. The words ὅτι . . . ἐτυράννισεν are so nearly identical with those of Aristotle that the one author must have drawn from the

Ἴππαρχος Χάρμοι Κολυττεύς, δι' ὃν καὶ μάλιστα τὸν νόμον ἔθηκεν ὁ Κλεισθένης, ἐξελάσαι βουλόμενος αὐτόν. οἱ γὰρ Ἀθηναῖοι τὸν τῶν τυράννων φίλους, ὅσοι μὴ συνεξαμάρτανον ἐν ταῖς ταραχαῖς, εἴων οἰκεῖν τὴν πόλιν, χρώμενοι τῇ εἰωθυίᾳ τοῦ δήμου πραότητι· ὃν ἡγεμὼν καὶ προστάτης ἦν Ἴππαρχος. εὐθὺς δὲ τῷ ὑστέρῳ ἔτει ἐπὶ Τελεσίνου ἄρχοντος ἐκυάμενσαν τὸν ἐννέα ἄρχοντας κατὰ φυλὰς ἐκ τῶν

other. The date of Androction is doubtful, but it appears more probable that he lived somewhat later than Aristotle, quite at the close of the fourth century. In that case, and supposing the sentence to be part of the quotation from Androction and not an explanatory addition by Harpocration, it would show that Aristotle's work was publicly known in the generation immediately succeeding his own. There are, however, so many elements of doubt about the matter that it is unsafe to draw any positive conclusion.

Κολυττεύς : Plutarch (*Nic.* 11), who also mentions Hipparchus as the first victim of ostracism, describes him as Χολαργεύς.

ἡγεμών : the reverse of the second Berlin fragment (*cf. Hermes* XV. 376) begins here. It consists of parts of twenty-five lines, ending with the word *τριηρεῖς* ; but the remains are too small for any information of value to be extracted from them.

ἐπὶ Τελεσίνου ἄρχοντος : this will be in 487 B.C., one of the three years after 496 B.C. (the others being 486 and 481 B.C.) for which no archon's name appears in our lists.

ἐκυάμενσαν τὸν ἐννέα ἄρχοντας κ.τ.λ. : this passage must be compared with the account of the system of election introduced by Solon (ch. 8, *κληρωτὰς κ.τ.λ.*). It appears that in this year (487 B.C.) the Athenians reverted, with some modification, to the system which Solon had established, and which had been abrogated by the establishment of the tyranny ; that is, they appointed the archons by lot from a number of candidates who had been selected by the tribes in free election. The statement which follows, *οἱ δὲ πρότεροι πάντες ἤσαν αἱρετοί*, must apply to the period between the expulsion of the tyrants and the time now being spoken of, and it shows that Cleisthenes did not apply the use of the lot to the election of archons, but had them freely elected, presumably by the ecclesia. We therefore have the following stages in the history of the method of election to this office : (1) prior to Draco, the archons were nominated by the Areopagus ; (2) under the Draconian constitution they were elected by the ecclesia ; (3) under the Solonian constitution, so far as it was not disturbed by internal troubles

προκριθέντων ὑπὸ τῶν δημοτῶν πεντακοσίων τοῖς μετὰ τὴν τυραννίδα πρῶτον, (οἱ δὲ πρότεροι πάντες ἦσαν αἱρετοί)· καὶ ὀστρακίσθη Μεγακλῆς Ἰππο-

and revolutions, they were chosen by lot from forty candidates selected by the four tribes ; (4) under the constitution of Cleisthenes they were directly elected by the people in the ecclesia ; (5) after 487 B.C. they were appointed by lot from 100 (or 500, see below) candidates selected by the ten tribes ; (6) at some later period (see ch. 8) the process of the lot was adopted also in the preliminary selection by the tribes.

One point remains to be settled, namely the number of candidates selected by the tribes under the arrangement of 487 B.C. It is here given as 500, *i. e.* fifty from each tribe ; but on the other hand it is distinctly stated in ch. 8 that each tribe chose ten candidates, so that the total would be 100. It is true that Aristotle is there speaking of the practice in his own time, while here he is describing that of the fifth century ; but it is not in the least likely that the number of persons nominated by each tribe was reduced. The tendency is more likely to have been the other way. It is more probable that for *πεντακοσίων* (φ') we should read *ἕκατον* (ρ'), the confusion between the two numerals being very easy, and perhaps to be paralleled from Thuc. II. 7.

It follows from the present passage that the polemarch Callimachus at Marathon was elected and not chosen by lot. This is the view which has always been preferable on grounds of common sense, and it is only the authority of Herodotus which has made it doubtful. As is stated by Aristotle just above, the polemarch was still the commander-in-chief, and the strategi were, technically at any rate, his subordinates. In this capacity he gave his vote last, just as is the practice in a modern council of war.

ὑπὸ τῶν δημοτῶν : this, if literally interpreted, is in contradiction with the passage in ch. 62, which says *αἱ δὲ κληρωταὶ ἀρχαὶ πρότερον μὲν ἦσαν αἱ μὲν μετ' ἐννέα ἀρχόντων ἐκ τῆς φυλῆς ὅλης κληρούμεναι, αἱ δὲ ἐν Θησεί φ κληρούμεναι διηρούντο εἰς τοὺς δήμους*. This implies that the preliminary selection of the candidates for the archonship was made by the whole tribe, not by the separate demes. It is true that *δημότας* may simply stand for the members of the tribe, all of whom were necessarily members of a deme ; but it would be rather a misleading use in this connection. It may be that Aristotle has made a mistake, and that the *πεντακοσίων* discussed above is part of the same mistake ; for the demes did actually elect the 500 members of the *βουλή*, as appears from the continuation of the passage in ch. 62 just quoted. The fact which remains certain is that the use of the lot was, in some manner or another, introduced at this date for the election of the archons.

Μεγακλῆς Ἰπποκράτος : this would be the grandson of the Megacles who was the opponent of Pisistratus, and the nephew of Cleisthenes.

κράτους Ἀλωπέκηθὲν. ἐπὶ μὲν οὖν ἔτη γὰρ τοὺς τῶν τυράννων φίλους ὡστράκιζον, ὡν χάριν δὲ νόμος ἐτέθη, μετὰ δὲ ταῦτα τῷ τετάρτῳ ἔτει καὶ τῶν ἄλλων εἴς τις δοκοίη μείζων εἶναι μεθίσταντο· καὶ πρώτος ὡστρακίσθη τῶν ἄπωθεν τῆς τυραννίδος Ξάνθιππος ὁ Ἀρίφρονος. ἔτει δὲ τρίτῳ μετὰ ταῦτα Νικοδήμου ἄρχοντος, ὡς ἐφάνη τὰ μέταλλα τὰ ἐν

It is consequently surprising to find him among the persons ostracised as a friend of the tyrants. The banishment of a Megacles, who was the maternal grandfather of Alcibiades, is mentioned by Lysias (*Contr. Alc.* I. 39), but it has been supposed that this was the son of Cleisthenes, who bore the same name.

Ξάνθιππος ὁ Ἀρίφρονος: this ostracism of Xanthippus is not elsewhere mentioned, except in the extract from Heraclides quoted above, in the note on ch. 18, ἀφ' οὐ κ.τ.λ. Like Aristides he must have returned at the time of the second Persian war, as he was archon in 479 B.C. and commanded the Athenians at Mycale and at the siege of Sestos.

Νικοδήμου ἄρχοντος: the dates are somewhat confusing here. The notes of time given for the period between the Persian wars are these. After Marathon καταλιπόντες δύο ἔτη . . . τῷ ὑστέρῳ ἔτει comes the archonship of Telesines (487 B.C.); these three years are summarised in the phrase ἐν μὲν οὖν ἔτη γὰρ, and then τῷ τετάρτῳ ἔτει (486 B.C.) is the ostracism of Xanthippus; ἔτει δὲ τρίτῳ μετὰ ταῦτα (484 B.C.) is the archonship of Nicodemus; ἐν τούτοις τοῖς χρόνοις Aristides was ostracised, and τετάρτῳ ἔτει he and all the other political exiles were recalled, in the archonship of Hypsichides, διὰ τὴν Σέρβου στρατιάν, i.e. in 481 B.C. This seems plain and consistent enough; but there is the difficulty that the archonship of Nicodemus is placed by Clinton and others in 483 B.C., on the authority of Dionysius. It may be that the three archons Philocrates, Leostratus, and Nicodemus should be placed in the years 486-484 B.C.; instead of 485-483 B.C. The Parian marble does indeed place Philocrates in 486 B.C.; but as that record assigns Marathon and Salamis respectively to 491 B.C. and 481 B.C., it is clear that it habitually places the archons a year too high, so that its authority cannot be quoted in support of the present suggestion. On the other hand it is possible that Aristotle was mistaken in the year of Nicodemus; for it is noticeable that Plutarch, who, like Aristotle, records that Aristides was recalled in view of the march of Xerxes upon Greece, says that he returned in the *third* year after his banishment (*Arist.* 8). If, then, Aristotle knew that the ostracism took place in the archonship of Nicodemus, but believed that archonship to fall in 484 B.C., this

Μαρωνείᾳ καὶ περιεγένετο τῇ πόλει τάλαντα ἑκατὸν ἐκ τῶν ἔργων, συμβουλευόντων τινῶν τῷ δήμῳ διανείμασθαι τὸ ἀργύριον, Θεμιστοκλῆς ἐκώλυσεν,

discrepancy is removed, and it is unnecessary to make any alteration in the received list of archons.

As regards the exact name of the archon in question, it must be noted that the MS. reads *Νικομήδους*, but on the other hand Dionysius calls him Nicomedes, and this reading is confirmed by the Berlin fragment of Aristotle. The testimony of Aristotle being thus doubtful the authority of Dionysius may turn the scale ; more particularly since Nicomedes is not a name that would have been likely to be given to an Athenian born before the time of the Ionian revolt at earliest, while Nicomedes would be a name suitable in an aristocratic family at any time in the sixth century. Under these circumstances it does not appear that any good purpose would be served by leaving the name *Νικομήδους* in the text here, and *Νικοδήμου* has accordingly been substituted.

τὰ μέταλλα τὰ ἐν Μαρωνείᾳ : in Herodotus (VII. 144) and Plutarch (*Them.* 4) the mines are described as those of Laurium. Demosthenes (*Contr. Pantaen.*, p. 967) refers to a Maroneia at which there were works (*ἔργα*) which seem to have been mines ; and Harpocration (*s. v. Μαρωνεία*) states that this place was in Attica, and was distinct from the Maroneia in Thrace mentioned by the same orator (*Contr. Polycl.*, p. 1213). There need therefore be no doubt that Maroneia in Attica was in the neighbourhood of Laurium, and that the mines referred to by Aristotle are the same as those mentioned by Herodotus and Plutarch.

τάλαντα ἑκατὸν κ.τ.λ. : this story is repeated by Polyaenus (*Strateg.* I. 30), who evidently took it from Aristotle. The details are different from, but not inconsistent with, those given by Herodotus. It is evident that Grote was right in holding, as against Boeckh, that it was not intended to distribute among the populace the whole sum derived from the mines. Herodotus states that the proposed distribution was to be at the rate of 10 drachmas a head, which would amount, according to Boeckh's calculation, to 33½ talents in all.

Θεμιστοκλῆς : this passage does not solve the disputed question as to the archonship of Themistocles. It is clear, however, that he was not archon at the time of the proposal to distribute the funds available from the silver mines, since that occurred in the archonship of Nicomedes, but that his guidance of the policy of his country in the direction of ship-building was effected in his capacity as a popular leader in the ecclesia. Athenian policy was not directed by the archon or by any magistrate as such, but by the ecclesia, and therefore

οὐ λέγων ὅτι ἔχρισται τοῖς χρήμασιν ἀλλὰ δανεῖσαι
κελεύων τοῖς πλουσιωτάτοις Ἀθηναίων ἑκατὸν ἑκά-
στῳ τάλαντον, εἰτ' ἐὰν μὲν ἀρέσκῃ τὸ ἀνάλωμα τῆς

ultimately by the leaders of the ecclesia. On the other hand Thucydides expressly says that Themistocles was in office at the time that he began the fortification of the Piraeus (I. 93, ὑπῆρκτο δὲ αὐτοῦ πρότερον ἐπὶ τῆς ἐκείνου ἀρχῆς ἦσαν κατ' ἐνιαυτὸν Ἀθηναῖοις ἡρέες). This does not *necessarily* mean that he was archon eponymus, but the use of *ἐπί* with the genitive, the almost invariable method of indicating the year, favours the belief that he was. It is moreover certain that he was archon (though not necessarily archon eponymus) at some period in his career, from the fact that he appears later as a member of the Areopagus (ch. 25). It is therefore not improbable that he was archon eponymus at the time indicated by Thucydides. In that case it may be taken as certain that his year of office falls in 482 B. C., not in 481 B. C. (as Clinton puts it), both because we have another archon's name mentioned below for whom the latter year is required, and because it accords better with probability, since it seems likely that the work of fortifying the Piraeus was undertaken in connection with the building of the triremes, which was commenced in 483 B. C. At the same time the fact of his holding that office is only to a very limited extent a sign of appointment by the people to carry out his naval policy, since the final process of election to the archonship was at this time conducted by lot; and the words of Thucydides are consistent with his having held any magistracy, such, for instance, as that of *στρατηγίς*, on whom the execution of such operations might naturally fall.

It may be added that the supposed archonship of Themistocles in 493 B. C. appears very problematical. It is not in the least likely that the same person would wish to be archon twice, when it brought no substantial advantages except a seat in the Areopagus. Nor is it likely that the naval policy of Themistocles, indicated by the fortification of the Piraeus, began so far back as that date. It appears more natural to connect it closely with the building of the fleet in 483 B. C. Further, it is probable that the archons had to be not less than thirty years old, as was certainly the case in the time of Draco (ch. 4). If Themistocles was archon in 493 B. C. he must have been born not later than 523 B. C., in which case he would have been at least thirty-three at the time of Marathon, and could hardly be called *νεός*, as he is by Plutarch (*Them.* 3). Moreover Plutarch tells us that he was sixty-five at his death, which would therefore on this theory fall not later than 458 B.C. But, as appears from ch. 25 below (see note there), his flight to Persia cannot have occurred before 460 B.C., and it is probable that he lived there some years before his death. These considerations cumulatively make an archonship in 493 B.C. improbable. It rests on the authority, which

πόλεως εἶναι τὴν δαπάνην, εἰ δὲ μή, παρακομίσασθαι τὰ χρήματα παρὰ τῶν δανεισαμένων. λαβὼν δὲ ἐπὶ τούτοις ἐνα[u]πηγήσατο τριήρεις ἑκατόν, ἑκάστου ναυπηγουμένου τῶν ἑκατὸν μίαν; αἷς ἐναυμάχησαν ἐν Σαλαμίνι πρὸς τοὺς βαρβάρους. ὡστρακίσθη δὲ ἐν τούτοις τοῖς καιροῖς Ἀριστείδης ὁ Λυσιμάχου. τετάρτῳ δὲ ἔτει ἀπεδέξαντο πάντας τοὺς ὡστρακισμένους, ἀρχοντος Ὑψιχίδου, διὰ τὴν Ξέρξου στρατιάν· καὶ τὸ λοιπὸν ὥρισαν τοῖς ὡστρακιζομένοις ἐντὸς Γεραιστοῦ καὶ Σκυλλαίου κατοικεῖν ἡ ἀτίμους εἶναι καθάπαξ.

is in itself good, of Dionysius (*Ant. Rom.* VI. 34), but there is nothing to prove that he is speaking of the same Themistocles. The father's name is not mentioned, and it may be another person of the same name, or else Dionysius has on this occasion made a mistake.

ἄρχοντος Ὑψιχίδου: the reading of the name is somewhat doubtful; after ψ there appears to be an erasure of two or three letters, over which an *i* has been written as a correction. The name Hypsichides is otherwise unknown. It is clear from the words which follow that the year is 481 B.C. Plutarch (*Arist.* 8) says that Aristides and the other exiles were recalled while Xerxes was on his march through Thessaly and Boeotia. This would be in the spring of 480 B.C., and therefore in the year of the archon who entered office in July of 481 B.C.; Calliades, in whose archonship Salamis was fought, succeeded to the post in July of 480 B.C.

From this passage it appears that Herodotus must have been wrong if he intended to represent Aristides as still under sentence of ostracism at the time of the battle of Salamis. The time, however, between his recall and the battle was so short that the mistake, if it be one, is natural; but it is not certain that the participle *ἐξωστρακισμένος* means more than that he had been ostracised, without necessarily implying that he still was so.

ἐντὸς Γεραιστοῦ καὶ Σκυλλαίου: presumably these places, which stand at the extreme south of Euboea and east of Argolis respectively, mark the eastern and western limits within which the ostracised person was free to live, and if so he was confined within very narrow boundaries. The object of the regulation no doubt was to obviate the danger of a banished citizen entering into communication with Persia. Plutarch says that the principal reason for the recall of the exiles before the

23. Τότε μὲν οὖν μεχρὶ τούτου προῆλθεν ἡ πόλις ἄμα τῇ δημοκρατίᾳ κατὰ μικρὸν αὐξανομένη· μετὰ δὲ τὰ Μηδικὰ πάλιν ἵσχυσεν ἡ ἐν Ἀρείῳ πάγῳ βουλὴ καὶ διώκει τὴν πόλιν, οὐδένι δόγματι λαβούσα τὴν ἡγ[ερο]νίαν ἀλλὰ διὰ τὸ γενέσθαι τῆς περὶ Σαλαμῖνα ναυμαχίας αἰτία. τῶν γὰρ στρατηγῶν ἔξαπορησάντων τοῖς πράγμασι καὶ κηρυξάντων σώζειν ἔκαστον ἑαυτόν, πορίσασα δραχμὰς ἔκάστῳ ὅκτὼ διέδωκε καὶ ἐνεβίβασεν εἰς τὰς ναῦς. διὰ ταύτην δὴ τὴν αἰτίαν παρεχώρουν αὐτῇ τῷ ἀξιώματι, καὶ ἐπολιτεύθησαν Ἀθηναῖοι καλῶς καὶ κατὰ τούτους τοὺς καιρούς. συνέβη γὰρ αὐτοῖς κατὰ τὸν χρόνον τούτου τά τε εἰς τὸν πόλεμον ἀσκῆσαι καὶ

second Persian invasion was the fear that Aristides might attach himself to Xerxes and carry with him a considerable party in Athens. As he proceeds to say, the Athenians were completely mistaken in their estimate of the man in entertaining this fear, but it is very likely that the fear was felt, and the present passage of Aristotle confirms it. The regulation cannot, however, have been strictly observed subsequently; for instance, we find the ostracised Themistocles living in Argos (Thuc. I. 135) and the ostracised Hyperbolus in Samos (Thuc. VIII. 73).

23. διὰ τὸ γενέσθαι κ.τ.λ. : Plutarch tells this story (*Themist.* 10), quoting Aristotle as his authority, though he adds that Cleidemus reported the money in question to have been produced by a device of Themistocles (Rose, *Frag.* 360). Rose also gives (as *Frag.* 361) a quotation from Aelian, who refers to Aristotle for a story about a dog belonging to Xanthippus* which swam with the escaping Athenians to Salamis. Plutarch gives the same story, but if the authority is Aristotle it must be in some other of his works, probably one on natural history.

παρεχώρουν αὐτῇ : MS. *αντην*, but there is no justification for an accusative after *παρεχώρουν* in this sense.

καὶ κατὰ τούτους τοὺς καιρούς : it may be questioned whether *καὶ* is not due merely to a copyist's mistake, as there is no apparent reason for the emphasis which it gives to the clause.

κατὰ τὸν χρόνον τούτου : *περὶ* seems to have been written above *κατὰ* as a correction, but as this is not certain it appears better to retain *κατὰ* in the text.

παρὰ τοῖς Ἑλλησιν εὐδοκιμῆσαι καὶ τὴν τῆς θαλάττης ἡγεμονίαν λαβεῖν ἀκόντων τῶν Λακεδαιμονίων. ἥσαν δὲ προστάται τοῦ δήμου κατὰ τούτους τοὺς καίρους Ἀριστείδης ὁ Λυσιμάχου καὶ Θεμιστοκλῆς ὁ Νεοκλέους, ὁ μὲν τὰ πολέμια ἀσκῶν, ὁ δὲ τὰ πολιτικὰ δεινὸς εἶναι (δοκῶν) καὶ δικαιοσύνη τῶν καθ' ἑαυτὸν διαφέρειν· διὸ καὶ ἔχρωντο τῷ μὲν στρατηγῷ, τῷ δὲ συμβούλῳ. τὴν μὲν οὖν τῶν τειχῶν ἀνοικοδόμησιν κοινῇ διώκησαν, καίπερ διαφερόμενοι πρὸς ἀλλήλους· ἐπὶ δὲ τὴν ἀπόστασιν τὴν τῶν Ἰώνων καὶ τὴν τῶν Λακεδαιμονίων συμμαχίαν Ἀριστείδης ἦν ὁ προτρέψας, τηρήσας τοὺς Λάκωνας διαβεβλημένους διὰ Παυσανίαν. διὸ καὶ τοὺς φόρους οὗτος ἦν ὁ τάξας ταῖς πόλεσιν τοὺς πρώτους ἔτει τρίτῳ μετὰ τὴν ἐν Σαλαμῖνι ναυμαχίαν ἐπὶ Τιμοσθένου ἀρχοντος, καὶ τοὺς ὄρκους ὅμοσεν [Col. 10.] τοῖς Ἰωσι ὥστε τὸν αὐτὸν ἔχθρὸν εἶναι καὶ φίλον, ἐφ' οἷς καὶ τοὺς μύδρους ἐν τῷ πελάγει καθεῖσαν.

πολιτικά! MS. πολεμικα, evidently a clerical blunder due to πολέμια which precedes.

δοκῶν: not in the MS., but clearly required by the sense.

ἀνοικοδόμησιν: MS. ανωικοδομησιν.

μερά: at first written διά, but corrected.

ἐπὶ Τιμοσθένου ἀρχοντος: the list of archons, derived from Dionysius and elsewhere, is complete from 480 to 321 B.C., and the names mentioned by Aristotle only confirm it. The mention of this date (378 B.C.) fixes the organisation of the Confederacy of Delos two years higher than that usually assigned. Thucydides (I. 94-96) gives no date, but his narrative is quite in accordance with that named by Aristotle.

τοὺς ὄρκους ὅμοσεν τοῖς Ἰωσι: this is not the same treaty as that mentioned by Herodotus (IX. 106), the latter having taken place in 479 B.C., immediately after Mycale, when Xanthippus, and not Aristides, was in command of the Athenian forces. Aristides renewed the treaty at the request of the Ionians at the time of which Thucydides

24. Μετὰ δὲ ταῦτα θαρρούσης ἥδη τῆς πόλεως καὶ χρημάτων πολλῶν ἡθροισμένων, συνεβούλευεν ἀντιλαμβάνεσθαι τῆς ἡγεμονίας καὶ καταβάντας ἐκ τῶν ἀγρῶν οἰκεῖν ἐν τῷ ἀστεῖ τροφὴν γὰρ ἔσεσθαι πᾶσι, τοῖς μὲν στρατευομένοις, τοῖς δὲ φρουροῦσι, τοῖς δὲ τὰ κοινὰ πράττουσι, εἴθ' οὕτω κατασχήσειν τὴν ἡγεμονίαν. πεισθέντες δὲ ταῦτα καὶ λαβόντες τὴν ἀρχὴν τοῖς τε συμμάχοις δεσποτικωτέρως ἔχρωντο πλὴν Χίων καὶ Λεσβίων καὶ Σαμίων· τούτους δὲ φύλακας εἶχον τῆς ἀρχῆς, ἔωντες τάς τε πολιτείας παρ' αὐτοῖς καὶ ἀρχειν ὅντες ἔτυχον ἀρχοντες. κατέστησαν δὲ καὶ τοῖς πολλοῖς εὐπορίαν τροφῆς, ὥσπερ Ἀριστείδης εἰσηγήσατο. συνέβαινεν γὰρ ἀπὸ τῶν φόρων καὶ τῶν τελῶν καὶ τῶν συμμάχων πλείους ἡ δισμυρίους ἄνδρας τρέφεσθαι. δικασταὶ

speaks (I. 95, φοιτῶντες πρὸς τοὺς Ἀθηναίους ἡξίουν αὐτοὺς ἡγεμόνας σφῶν γενέσθαι κατὰ τὸ ἔνγγενές).

24. ἡθροισμένων: wrongly corrected to ἀθροισμένων in the MS.

συνεβούλευεν κ.τ.λ.: this counsel to the people to come in from the country, in order to secure the control, first of Athens, and thereby of the allies of Athens, is what one would rather have expected to come from Themistocles. At the same time Aristides is called προστάτης τοῦ δήμου just above, and he was never the leader of the aristocratical party. Moreover his conduct in reference to the Confederacy of Delos shows that the imperial idea was strong in him, and, while he would probably not have been a party to any unjust treatment of the allies, he no doubt wished to see Athens in possession of the ἡγεμονία of Greece by sea, though his policy of friendship with Sparta would have prevented any attempt to interfere with the supremacy of the latter by land. The multiplication of paid offices in the state is a first stage in that process of paying the democracy of Athens which was carried to its full extent under Pericles, and which really made the poorer classes in the community, the democracy in the narrower sense of the term, the dominant power in the state.

πλείους ἡ δισμυρίους: the numbers given (allowing 4000 men for the twenty guard-ships, at the usual rate of 200 men to each ship) amount in all to 19,750 persons, exclusive of the orphans and other persons

μὲν γὰρ ἡ[σα]ν ἔξακισχίλιοι, τοξέται* δὲ ἔξακόσιοι καὶ χίλιοι, καὶ πρὸς τούτοις ἵππεῖς χίλιοι καὶ διακόσιοι, βουλὴ δὲ πεντακόσιοι, καὶ φρουροὶ νεωρίων πεντακόσιοι, καὶ πρὸς τούτοις ἐν τῇ πόλει φρουροὶ ὑπάρχαι δὲ ἔνδημοι μὲν εἰς ἑπτακοσίους ἄνδρας, ὑπερόριοι δὲ εἰς ἑπτακοσίους πρὸς δὲ τούτοις ἐπεὶ συνεστήσαντο τὸν πόλεμον ὕστερον ὄπλιται μὲν δισχίλιοι καὶ πεντακόσιοι, νῆσοι δὲ φρουρίδες εἴκοσι, ἄλλαι δὲ νῆσοι αἱ τοὺς φόρους ἄγουσαι τοὺς ἀπὸ τοῦ κυάμου δισχιλίους ἄνδρας, ἔτι δὲ πρυτανεῖον καὶ ὄρφανοὶ καὶ δεσμωτῶν φύλακες· ἅπασι γὰρ τούτοις ἀπὸ τῶν καινῶν ηδὶ διοίκησις ἦν.

mentioned at the end of the list, of whom no estimate is given. Aristotle's statement is therefore fully justified. This list does not, however, apply to the times of Aristides, when, for instance, the dicasts were not paid, but to the result of the policy which Aristides initiated.

ἀρχαι δὲ ἔνδημοι κ.τ.λ. : it has been generally believed, and is stated by Boeckh, Schömann, and others, that the higher magistrates at Athens were unpaid. But it does not appear that this rests on any definite authority, and two or three passages in this treatise are inconsistent with that view. Cf. ch. 62.

ἔνδημοι μέν : the word ησαν follows in the MS., but has been cancelled by a row of dots above it.

ὄπλιται : MS. οπλεῖται, a spelling which is also found elsewhere in the MS.

αἱ τοὺς φόρους ἄγουσαι : Boeckh (P. E. II. 7) considers that the subject states brought their tributes to Athens themselves at the time of the Dionysia in the city, and that the ἀργυρολόγοι were only sent to collect special sums, such as arrears or fines. From this passage of Aristotle it appears that this was not the case, and that the tribute was regularly collected by certain vessels appointed for the purpose. These were ten in number (according to the usual estimate of a trireme's crew), two for each of the five tribute-districts of the Athenian empire, and were manned by 2000 persons appointed by lot. The construction of τοὺς ἀπὸ τοῦ κυάμου δισχιλίους ἄνδρας is not clear, but apparently a suitable word must be supplied from ἄγουσαι to govern it.

πρυτανεῖον : this presumably stands for all the persons who for various reasons were maintained at the public expense in the Prytaneum.

25. Ἡ μὲν οὖν τροφὴ τῷ δήμῳ διὰ τούτων ἐγίνετο. ἔτη δὲ ἔπτα καὶ δέκα μάλιστα μετὰ τὰ Μηδικὰ διέμεινεν ἡ πολιτεία προεστώτων τῶν Ἀρεοπαγιτῶν, καίπερ ὑποφερομένη κατὰ μικρόν. αὐξανομένου δὲ τοῦ πλήθους γενόμενος τοῦ δήμου προστάτης Ἐφιάλτης ὁ Σωφωνίδου, καὶ δοκῶν [Col. 11.] ἀδωροδόκητος εἶναι καὶ δίκαιος πρὸς τὴν πολιτείαν, ἐπέθετο τῇ βουλῇ. καὶ πρώτον μὲν ἀνεῖλεν πολλοὺς τῶν Ἀρεοπαγιτῶν, ἀγῶνας ἐπὶ[φ]έρων περὶ τῶν διωκημένων ἔπειτα τῆς βουλῆς ἐπὶ Κόνωνος ἄρχοντος ἀπαντά περιεῖλε τὰ ἐπίθετα δι' ὧν ἡ

25. ἔτη δὲ ἔπτα καὶ δέκα μάλιστα μετὰ τὰ Μηδικά : this presumably covers the whole period up to the archonship of Conon, mentioned just below, which belongs to the year 462 B. C. In that case Aristotle reckons the end of the Persian war as 478 B. C., the date of the Confederacy of Delos.

Σωφωνίδου : with this word the tenth column of the MS. breaks off, the rest of the column and the whole of another column being occupied by writing of a different description, after which the text of the Aristotle is resumed. The interpolated matter, which runs in the reverse direction, was evidently written before the Aristotle, and has been roughly struck out when the papyrus was required for the latter. It is not in the same hand as the Aristotle, but in one apparently of the same date and employing many of the same contractions. It contains a sort of argument to the speech of Demosthenes against Meidias, in the course of which there are references to the argument *κατὰ Καικλίον*, i.e. as given by Caecilius Calactinus, a rhetor of the age of Augustus, who wrote various works relating to the Greek orators, including one on the authenticity of the speeches of Demosthenes, from which the references just spoken of are probably taken.

ἀγῶνας ἐπιφέρων : so Plutarch speaks of Ephialtes (*Pericles* 10), φοβερὸν ὅντα τοῖς δλιγαρχικοῖς, καὶ περὶ τὰς εὐθύνας καὶ διώξεις τῶν τὸν δῆμον ἀδικούντων ἀπαραιτητον.

ἐπὶ Κόνωνος ἄρχοντος : this fixes for the first time a doubtful date in Athenian history, though it has been known that the overthrow of the Areopagus must have occurred about 460 B. C. From the whole of the present passage it is clear that Pericles had nothing to do, as a leader at any rate, with the attack on the Areopagus. Aristotle mentions him below (ch. 27) as taking away some of the privileges of the Areopagus,

τῆς πολιτείας φυλακή, καὶ τὰ μ[ἐν^τ]οῖς πεντακοσίοις, τὰ δὲ τῷ δήμῳ καὶ τοῖς δικαστηρίοις ἀπέδωκεν. ἔπραττε δὲ ταῦτα συναιτίου γενομένου

but this was apparently at a later time and a much less important affair, though it may justify the retention of his name in the *Politics* (II. 12), where it has been suspected of being a corrupt insertion in the text. This part of Aristotle's treatise does much to clear up an obscure period in the history of Athens, and to assign events to precise dates and authors where before we only knew of their bare occurrence. Among other things it is clear that the preeminence of Pericles dates from a later time than has generally been assumed.

συναιτίου γενομένου Θεμιστοκλέους : the mention of Themistocles in this connection revolutionises the history of the later part of his career. We know from Thucydides (I. 135-138) that he was eventually ostracised, and that while living in banishment he was charged with Medism on certain evidence which was found at Sparta in connection with the condemnation and death of Pausanias ; on which occurred his flight to Persia, where he arrived in the reign of Artaxerxes and died some time afterwards. No dates or sufficient indications of time are given by Thucydides or any other authority, but it has been usual to place the ostracism in 471 B.C. and the flight to Persia about 466 B.C. Xerxes died in 465 B.C., and Thucydides states that Themistocles on his arrival in Persia found Artaxerxes *νεωστὶ βασιλεύοντα*. The present passage shows that he was still in Athens in 462 B.C. He was then expecting a trial on the charge of Medism. This cannot be the charge which was made after the discovery of his complicity with Pausanias, since that took place while he was living in banishment ; but if the trial ever took place at all, and was not altogether averted by his proceedings against the Areopagus, it must be the earlier one, in which he secured an acquittal (Diod. XI. 54, *cf.* Grote, ed. 1870, vol. V. p. 136). His ostracism cannot then well have occurred before 461 B.C., and his flight to Persia may be placed approximately in 460 B.C. Artaxerxes would then have been on the throne about five years, which is not inconsistent with Thucydides' phrase *νεωστὶ βασιλεύοντα*. The fifth year of a king who ruled for forty might well be spoken of as in the beginning of the reign. As to the date of his death, it is not very material and cannot be exactly determined. Plutarch, however, tells us that he was sixty-five when he died and that he was a young man (*νέος ἀνήρ*, c. 3) at the time of Marathon. If then his birth be placed in 515 B.C. (and 520 B.C. would be the earliest date of which Plutarch's phrase could reasonably admit), his death would fall about 450 B.C. The narratives of Thucydides and Plutarch imply that he lived for some years in Persia, but this would allow a sufficient margin for any purpose ; and Plutarch's account of his death is too apocryphal for us.

Θεμιστοκλέους, ὃς ἦν μὲν τῶν Ἀρεοπαγιτῶν, ἔμελλε δὲ κρίνεσθαι Μηδισμοῦ. βουλόμενος δὲ καταλυθῆναι τὴν βουλὴν ὁ Θεμιστοκλῆς πρὸς μὲν τὸν Ἐφιάλτην ἔλεγεν ὅτι συφαρπάζειν αὐτὸν ἡ βουλὴ μέλλει, πρὸς δὲ τοὺς Ἀρεοπαγίτας ὅτι δείξει τινὰς συνισταμένους ἐπὶ καταλύσει τῆς πολιτείας. ἀγαγὼν δὲ τοὺς ἀφαιρεθέντας τῆς βουλῆς οὐδὲ διέτριβεν ὁ Ἐφιάλτης, ἵνα δείξῃ τὸν ἀθροιζομένους, διελέγετο μετὰ σπουδῆς αὐτοῖς. ὁ δὲ Ἐφιάλτης ὡς

to attach much weight to the connection in time which he indicates between it and the Athenian expeditions under Cimon at the time of the Egyptian revolt.

It is strange that Plutarch should not have mentioned the part taken by Themistocles in the overthrow of the Areopagus. His behaviour, as indicated by Aristotle, with his ingenious intrigue whereby he continued to be able to represent himself as serving either side until the last moment, is entirely in accordance with his character as we know it from the rest of his life, and the story has all the appearance of truth. Though Plutarch does not mention it, there is, however, one extant reference to the story, in the argument to the Areopagitica of Isocrates (contained in Dindorf's ed. of the Scholia to Aeschines and Isocrates, p. 111), which explains the original loss of power by the Areopagus thus, 'Ἐφιάλτης τις καὶ Θεμιστοκλῆς χρεωστοῦντες τὴν πόλει χρήματα καὶ εἰδότες ὅτι ἐὰν δικασθῶσιν [qu. δικάσωσιν;] οἱ Ἀρεοπαγίται, πάντως ἀποδώσουσι, καταλῦσαι αὐτοὺς ἔπεισαν τὴν πόλιν, οὕτως τιὸς μέλλοντος κριθῆναι. ὁ γάρ Ἀριστοτέλης λέγει ἐν τῇ πολιτείᾳ τῶν Ἀθηναίων ὅτι καὶ ὁ Θεμιστοκλῆς αὕτος ἦν μὴ πάντα δικάζειν τοὺς Ἀρεοπαγίτας· δῆθεν μὲν ὡς δι' αὐτοὺς τοῦτο ποιοῦντες τὸ δ' ἀληθὲς διὰ τοῦτο πάντα κατασκευάζοντες. εἴτα οἱ Ἀθηναῖοι ἀσμένως ἀκούσαντες τῆς τοιαύτης συμβουλῆς κατέλυσαν αὐτούς. (Part of this quotation is given by Rose as *Frag.* 366.) This passage has, however, been ignored by the historians, possibly in the belief that it referred to some much smaller transaction than the complete overthrow of the supremacy of the Areopagus.

τοὺς ἀφαιρεθέντας τῆς βουλῆς: this must be taken in the unusual sense of 'the persons despatched by the Areopagus.' Themistocles undertook to lead a deputation from the Areopagus to the house of Ephialtes, in order to show them the conspirators assembled there; but on arriving near the place he let himself be seen talking ostentatiously with them, and Ephialtes, who had been previously warned, made his escape to sanctuary. It is possible we should read *αἰρεθέντας*.

εἶδεν καταπλαγεὶς καθίζει μονοχίτων ἐπὶ τὸν βῶμον. θαύμασάντων δὲ πάντων τὰ γεγονὸς καὶ μετὰ ταῦτα συναθροισθείσης τῆς βουλῆς τῶν πεντακοσίων κατηγόρουν τῶν Ἀρεοπαγιτῶν ὃ τὸν Ἐφιάλτης καὶ Θεμιστοκλῆς, καὶ πάλιν ἐν τῷ δῆμῳ τὸν αὐτὸν τρόπον, ἕως περιείλοντο αὐτῶν τὴν δύναμιν. καὶ ἀνηρέθη δὲ καὶ ὁ Ἐφιάλτης δολοφονηθεὶς μετ' οὐ πολὺν χρόνον δι' Ἀριστοδίκου [τοῦ] Ταναγραίου. ἡ μὲν οὖν τῶν Ἀρεοπαγιτῶν βουλὴ τούτον τὸν τρόπον ἀπεστερήθη τῆς ἐπιμελείας.

26. Μετὰ δὲ ταῦτα συνέβαινεν ἀνίεσθαι μᾶλλον τὴν πολιτείαν διὰ τοὺς προθύμως δημαγωγοῦντας. κατὰ γὰρ τοὺς καιροὺς τούτους συνέπεσε μηδὲ ἡγεμόνα ἔχειν τοὺς ἐπιεικεστέρους, ἀλλ' αὐτῶν προεστάναι Κίμωνα τὸν Μιλτιάδου, νεώτερον ὅντα καὶ πρὸς τὴν πόλιν ὄψει προσελθόντα, πρὸς δὲ

περιεῖλοντο : MS. περεῖλοντο.

δι' Ἀριστοδίκου τοῦ Ταναγραίου : this statement is quoted by Plutarch (*Peric.* 10) as from Aristotle, Ἐφιάλτην μὲν οὖν . . . ἐπιβουλεύσαντες οἱ ἔχθροι δι' Ἀριστοδίκου τοῦ Ταναγραίου κρυφαῖς ἀνεῖλον, ὡς Ἀριστοτέλης εἶρηκεν (Rose, *Frag.* 367).

26. ἀνίεσθαι : MS. ανειεσθαι.

ἡγεμόνα : the first three letters of this word are very doubtful, and there seems to have been some blunder in the writing.

νεώτερον δύναται : if Cimon took part in the battle of Salamis and accompanied Aristides on the naval expedition which resulted in the establishment of the Confederacy of Delos, as Plutarch tells us (*Cim.* 5, 6), he cannot have been less than about thirty-five at the time of the overthrow of the Areopagus by Ephialtes. At the same time we know that he took no part in politics in early life, and though his great victory at the Eurymedon was won in 466 B.C., it is quite intelligible that he was not of much weight as a political leader in the controversies of this time, and that the aristocratical party was therefore practically without a head. Moreover Plutarch's authority is not above suspicion in his narratives of the early performances of his heroes, as has been seen in the case of Pisistratus.

τούτοις ἔφθαρθαι τοὺς πολλοὺς κατὰ πόλεμον· τῆς γὰρ στρατείας γινομένης ἐν τοῖς τότε χρόνοις ἐκ καταλόγου, καὶ στρατηγῶν ἐφισταμένων ἀπείρων μὲν τοῦ πολεμεῖν τιμωμένων δὲ διὰ τὰς πατρικὰς δόξας, αἱεὶ συνέβαινεν τῶν ἐξιόντων ἀνὰ δισχιλίους ἡ τρισχιλίους ἀπόλλυσθαι, [ῳ]στε ἀναλίσκεσθαι τοὺς ἐπιεικεῖς καὶ τοῦ δήμου καὶ τῶν εὐπόρων. τὰ μὲν οὖν ἄλλα πάντα διφέρουν οὐχ ὁμοίως καὶ πρότερον τοῖς νόμοις προσέχοντες, τὴν δὲ τῶν ἐννέα ἀρχόντων αἴρεσιν οὐκ ἐκίνουν, ἀλλ' ἔκτῳ ἔτει μετὰ τὸν Ἐφιάλτου θάνατον ἔγινοσαν καὶ ἐκ ζευγιτῶν προκρίνεσθαι τοὺς κληρωσομένους τῶν ἐννέα ἀρχόντων, καὶ πρώτος ἥρξεν ἐξ αὐτῶν Μνησιθείδης. οἱ θεὶ πρὸ τούτου πάντες ἐξ ἵππεων καὶ πεντακοσιομεδίμνων ἥσαν, οἱ δὲ ζευγῖται τὰς ἐγκυκλίους

δισχιλίους: MS. δισχελιους.

ἐκίνουν: MS. εκείνουν.

ἔκτῳ ἔτει μετὰ τὸν Ἐφιάλτου θάνατον: as the final victory of Ephialtes over the Areopagus occurred in 462 B.C. (cf. *supr.*), and the archonship of Mnesitheides falls in 457 B.C., it follows that the murder of Ephialtes must have taken place in the same year as the former event.

καὶ ἐκ ζευγιτῶν: it is practically certain that originally only the pentacosiomedimni were eligible to the archonship (cf. *supr.*, note on ch. 7, *ἀρένειμεν*), but it has generally been supposed, on the authority of Plutarch (*Arist.* 22), that after the Persian wars the archonship was thrown open to all classes without distinction. The more 'precise' statements of Aristotle must overrule the account of Plutarch, and it must be taken for certain that the *ζευγῖται* were not admitted to this office until the date here named, and that the thetes were never legally qualified for it at all, though in practice they were admitted in the time of Aristotle and probably much earlier (cf. ch. 7, *sub fin.*). There is no direct evidence to show when the *ἱππεῖς* became eligible, but it may very likely have been at the time indicated by Plutarch, when there also must have been an admission of the lower classes to some of the inferior magistracies, which Plutarch confused with the archonship.

οἱ δὲ ζευγῖται: MS. om. δέ.

τὰς ἐγκυκλίους: i.e. the inferior magistracies.

ἡρχον, εἰ μή τι παρεωράτο τῶν ἐν τοῖς νόμοις. ἔτει δὲ πέμπτῳ μετὰ ταῦτα ἐπὶ Λυσικράτους ἄρχοντος οἱ τριάκοντα δικασταὶ κατέστησαν πάλιν οἱ καλούμενοι κατὰ δήμους· καὶ τρίτῳ μετ' αὐτὸν ἐπὶ Ἀντιδότου διὰ τὸ πλῆθος τῶν πολιτῶν, Περικλέους εἰπόντος, ἔγνωσαν μὴ μετέχειν τῆς πόλεως ὃς ἂν μὴ ἐξ ἀμφοῖν ἀστοῖν ἦ γεγονώσ.

27. Μετὰ δὲ ταῦτα πρὸς τὸ δημαγωγεῖν ἐλθόντος Περικλέους, καὶ πρώτου εὐδοκιμήσαντος ὅτε κατη-

εὶ μή τι παρεωράτο: this seems to mean that although only members of the first two classes were legally eligible to the archonship, yet occasionally persons not so qualified were allowed to slip in; just as in later times persons not possessing even the qualification of a *ζευγίτης* were elected archons by a notorious legal fiction.

τῶν ἐν τοῖς νόμοις: before these words the MS. originally had the phrase ὑπὸ τῶν δήμων, but it has been erased.

ἐπὶ Λυσικράτους ἄρχοντος: i. e. 453 B.C.

οἱ τριάκοντα δικασταὶ: cf. ch. 53. These officials were judges of assize for local cases, and were established by Pisistratus (ch. 16).

ἐπὶ Ἀντιδότου: i. e. 451 B.C.

27. Μετὰ δὲ ταῦτα πρὸς τὸ δημαγωγεῖν ἐλθόντος Περικλέους: it is noticeable that Aristotle does not consider Pericles to have been a leader in the democratic party till about 450 B.C., but he must have been taking a considerable share in politics much earlier. The date of his accusation of Cimon, which Aristotle mentions as his first important public appearance, is not fixed. Plutarch states that Cimon was brought to trial on a charge of bribery after his return from the reduction of Thasos, and that Pericles was the most active of his prosecutors (*Cim.* 14). This would put the date in 463 B.C., which is quite possible. Pericles was then young (*νεὸς δν*) and it was his first prominent act in public life; and though he undoubtedly supported Ephialtes and Themistocles in their attack on the Areopagus he could not be called a leader of his party till several years later. At the same time it must be observed that Aristotle proceeds in the next chapter to say that he established the system of payment for services in the law-courts ἀντιδημαγωγῶν πρὸς τὴν Κίμωνος εἰπορίαν. Cimon died in 449 B.C., so that this important step, which shows Pericles as a leader of the people, must have occurred several years before that date. We know that he was commander of an expedition in the Crissaean Gulf in 454 B.C. (Thuc. I. 111), and it will not be going far wrong to date the ascendancy of Pericles in Athens from a year or two before that

γόρησε τὰς ἐνθύνας Κίμωνος στρατηγοῦντος νεὸς ὅν, δημοτικωτέραν ἔτι συνέβη γενέσθαι τὴν πολιτείαν· καὶ γὰρ τῶν Ἀρεοπαγιτῶν ἔνια παρείλετο, καὶ μάλιστα προύτρεψεν τὴν πόλιν ἐπὶ τὴν ναυτικὴν δύναμιν, ἐξ ἣ συνέβη θαρρήσαντας τοὺς πολλοὺς ἄπασαν τὴν πολιτείαν μᾶλλον ἄγειν εἰς αὐτούς. μετὰ δὲ τὴν ἐν Σαλαμῖνι ναυμαχίαν ἐνὸς δεῖ πεντηκόστῳ ἔτει ἐπὶ Πυθοδώρ[ου] ἀρχοντος ὁ πρὸς Πελοποννησίους ἐνέστη πόλεμος, ἐν ᾧ κατακλεισθεὶς ὁ δῆμος ἐν τῷ ἄστει καὶ συνεθισθεὶς ἐν ταῖς στρατιᾶς μισθοφορεῖν, τὰ μὲν ἐκὼν τὰ δὲ ἄκων προηρεῦτο τὴν πολιτείαν διοικεῖν αὐτός. ἐποίησε δὲ καὶ μισθόφορα τὰ δικαστήρια Περικλῆς πρῶτος, ἀντιδημαγωγῶν πρὸς τὴν Κίμωνος εὐπορίαν. ὁ γὰρ Κίμων, ἀτετυραννικὴν ἔχων οὐσίαν, πρώτον μὲν τὰς κοινὰς ληιτουργίας ἐληιτούργει λαμπρῶς, ἐπειτα τῶν δημο-

date. The murder of Ephialtes and banishment of Themistocles left the way clear for him.

τῶν Ἀρεοπαγιτῶν ἔνια παρείλετο : this may mean either that Pericles assisted to some extent in Ephialtes' proceedings for stripping the Areopagus of its power, or that he carried the same movement further after the death of Ephialtes. In either case it is consistent with his not having taken a leading part in the great struggle.

ἐνὸς δεῖ πεντηκόστῳ ἔτει : the date of the outbreak of the Peloponnesian war is of course as well fixed as any date in Greek history. Pythodorus was archon in 432 B.C., which is the 49th year after Salamis, and Thucydides (II. 2) tells us that he had only four months of his archonship still to run at the time of the Theban attack on Plataea, which fixes the date in the spring of 431 B.C.

κατακλεισθεὶς : MS. κατακλισθεὶς.

ἐποίησε δὲ καὶ μισθόφορα τὰ δικαστήρια Περικλῆς πρῶτος : this confirms the passage in the *Politics* (II. 12), τὰ δὲ δικαστήρια μισθόφορα κατέστησε Περικλῆς.

ληιτουργίας ἐληιτούργει : these forms are given in Hesychius as Attic variants of the more common λειτ-, which seems to justify the retention of the MS. spelling here.

τῶν, ἔτρεφε πολλούς· ἔξῆν γὰρ τῷ βουλομένῳ Λακιαδῶν καθ' ἑάστην τὴν ἡμέραν ἐλθόντι παρ' αὐτὸν ἔχειν τὰ μέτρια, ἔτι δὲ τὰ χώρια πάντα ἄφρακτα ἦν, ὅπως ἔξῆν τῷ βουλομένῳ τῆς ὀπώρας ἀπολαύειν. πρὸς δὴ ταύτην τὴν χορηγίαν ἐπιλειπόμενος ὁ Περικλῆς τῇ οὐσίᾳ, συμβουλεύοντος αὐτῷ Δαμωνίδου τοῦ Οἴηθεν (ὅς ἐδόκει τῶν πολέμων εἰσηγητὴς εἶναι τῷ Περικλεῖ, διὸ καὶ ὡστρακίσαν αὐτὸν ὕστερον), ἐπεὶ τοῖς ἰδίοις ἡττάτο διδόναι τοῖς πολλοῖς τὰ αὐτῶν, κατεσκεύασε μισθοφορὰν τοῖς δικασταῖς· ἀφ' ὧν αἰτιῶνται τινες χείρω γενέσθαι, κληρουμένων ἐπιμελῶς ἀεὶ μᾶλλον τῶν τυχόντων ἡ τῶν ἐπιεικῶν ἀνθρώπων. ἥρξατο δὲ μετὰ ταῦτα καὶ τὸ δεκάζειν, πρώτου καταδείξαντος Ἀνύτου μετὰ τὴν ἐν Πύλῳ στρατηγίαν. κρινόμενος γὰρ ὑπό τινων διὰ τὸ ἀποβαλεῖν Πύλουν, δεκάσας τὸ δικαστήριον ἀπέφυγεν.

28. Ἔως μὲν οὖν Περικλῆς προειστήκει τοῦ δήμου βελτίω τὰ κατὰ τὴν πολιτείαν ἦν, τελευτή-

Λακιαδῶν: Plutarch (*Cim. 10*) quotes Aristotle (though without specifying the precise work) as authority for this fact, in opposition to the story that Cimon kept open house for the whole of the poorer population of Athens (Rose, *Frag. 363*). Cf. also *Pericles* 9, which reproduces the substance of the present passage.

ὅπως ἔξην: this is the reading of the MS., though it may be questioned whether we should not read ἔξῆ.

συμβουλεύοντος κ.τ.λ.: quoted by Plutarch (*Pericl. 9*), τρέπεται πρὸς τὴν τῶν δημοσίων διανομήν, συμβουλεύσαντος αὐτῷ Δαμωνίδου τοῦ Οἴηθεν, ὡς Ἀριστοτέλης ιστόρηκεν (Rose, *Frag. 365*).

ὅς: MS. οὐε.

Ἀνύτου: MS. αντον, but that this is a mere clerical error is clear both from the context and from the fact that the passage is referred to by Harpocration (s. v. δεκάζων), Ἀριστοτέλης δ' ἐν Ἀθηναίων πολιτείᾳ Ἀνυτίν φησι καταδεῖξα τὸ δεκάζειν τὰ δικαστήρια (Rose, *Frag. 371*).

28. βελτίω: MS. βελτειω.

σαντος δὲ Πειρικλέους πολὺ χείρω. πρώτον γὰρ τότε προστάτην ἔλαβεν ὁ δῆμος οὐκ εὐδοκιμοῦντα τὰ παρὰ τοῖς ἐπιεικέσιν· ἐν δὲ τοῖς πρότερον χρόνοις ἀεὶ διετέλουν οἱ ἐπιεικεῖς δημαγωγοῦντες. ἔξ ἀρχῆς μὲν γὰρ καὶ πρώτος ἐγένετο προστάτης τοῦ δήμου Σόλων, δεύτερος δὲ Πεισίστρατος τῶν εὐγενῶν καὶ γυνωρίμων· καταλυθείσης δὲ τῆς τυραννίδος Κλεισθένης, τοῦ γένους ὧν τῶν Ἀλκμεονιδῶν, καὶ τούτῳ μὲν οὐδεὶς ἦν ἀντιστασιώτης ὡς ἔξεπεσον οἱ περὶ τὸν Ἰσαγόραν. μετὰ δὲ ταῦτα τοῦ μὲν δήμου προειστήκει Ξάνθιππος, τῶν δὲ γυνωρίμων Μιλτιάδης· ἔπειτα Θεμιστοκλῆς καὶ Ἀριστείδης· μετὰ δὲ τούτους Ἐφιάλτης μὲν τοῦ δήμου, Κίμων δὲ Μιλτιάδου τῶν εὐπόρων· εἴτα Πειρικλῆς μὲν τοῦ δήμου, Θουκυδίδης δὲ τῶν ἑτέρων, κηδεστής ὧν Κίμωνος. Πειρικλέους δὲ τελευτήσαντος τῶν μὲν ἐπιφανῶν προειστήκει Νικίας, ὁ ἐν Σικελίᾳ τελευτήσας, τοῦ δὲ δήμου Κλέων ὁ Κλεανέτου, ὃς δοκεῖ

εὐδοκιμοῦντα: at first written *ευδοκιμουμενον*, then *-ντα* was written above, but the letters *-μενον*, which should have been struck out, remain accidentally uncancelled.

προστάτης τοῦ δήμου: the way in which Aristotle uses this title shows that it had become a technical phrase indicating a definite position, but it does not support the view of those who hold it to have been an office to which there was a regular appointment. The most that it proves is that the popular party in the assembly recognised one individual as its especial leader at any given time, and that he was accepted by the world at large as the representative of that party for the time being. The fact that Solon and Pisistratus and Cleisthenes are spoken of in precisely the same way as Cleon and Cleophon is enough to prove this; and it may further be noticed that Miltiades, Cimon, and Thucydides are represented as holding exactly the same position in reference to the *εὐπόροι* or *γυνώριμοι* as their rivals have in reference to the *δῆμος*.

Κλεανέτου: MS. Κλαενετου.

μάλιστα διαφθεῖραι τὸν δῆμον ταῖς ὄρμαις, καὶ πρῶτος ἐπὶ τοῦ βήματος ἀνέκραγε καὶ ἐλοιδορήσατο καὶ περιζωσάμενος ἐδημηγόρησε, τῶν ἄλλων ἐν κόσμῳ λεγόντων. εἴτα μετὰ τούτους τῶν μὲν ἔτέρων Θηραμένης ὁ Ἀγνωνος, τοῦ δὲ δήμου Κλεοφῶν ὁ λυρόποιος, ὃς καὶ τὴν διωβολίαν ἐπόρισε πρῶτος· καὶ χρόνου μέν τινα διεδίδου, μετὰ δὲ ταῦτα κατέλυσε Καλλικράτης Παιανιεὺς πρῶτος

περιζωσάμενος : the scholiast to Lucian (*Tim.* 30) refers to Aristotle for this fact, Ἀριστοτέλης δὲ καὶ περιζωσάμενον αὐτὸν λέγει δημηγορῆσαι, εἰς τὴν θρασύτητα αὐτοῦ ἀποσκόπτων. This is given by Neumann in his edition of the fragments (*Frag.* 33), but Rose adopts another reading of the passage, which assigns Aristotle's authority instead to a statement that Cleon obstructed the making of peace with Sparta (*Frag.* 368). The scholiast to Aeschines (Dindorf, p. 14) uses nearly the same words, λέγεται δὲ Κλέων ὁ δημαγωγὸς παραβὰς τὸ ἐξ ζήουσα σχῆμα περιζωσάμενος δημηγορῆσαι.

τὴν διωβολίαν : this cannot refer either to the payment for attendance at the ecclesia, which we know from ch. 41 to have been instituted by Agyrrhius and Heracleides, nor to that for service in the courts, which it is certain from Aristophanes had been raised to three obols long before the time of Cleophon (*Knights*, ll. 51, 255; *Wasps*, 609, 684, 690). The διωβολία (or διωβελία, as it is generally spelt) *par excellence* was the same as the theoricon, the payment to the populace of the price of admission to the theatre. This, however, is generally assigned to Pericles, on the authority of Plutarch (*Pericl.* 9) and Ulpian (on Demosthenes' *Olynth.* I). The authority nevertheless is not convincing. Plutarch speaks somewhat generally (θεωρικοῖς καὶ δικαστικοῖς λίμπασιν ἀλλας τε μισθοφοραῖς καὶ χορηγίαις συνδεκάσας τὸ πλῆθος), and his accuracy is not to be trusted in such details; in fact, in the same chapter he speaks of Pericles as the chief agent in the overthrow of the Areopagus. It therefore seems best to take the word here in its natural sense, and to suppose that the diobolia was first established by Cleophon and augmented by Callicrates to three obols. There are, however, still some difficulties to be explained. It is evident from Demosthenes that the price of the ordinary seats at the theatre continued to be two obols (*de Cor.* p. 234, ἐν τοῖς δυοῖν ὀβολοῖν ἔθεωρουν ἄν), and it may therefore appear impossible that the theoricon should have been augmented. But we gather from Ulpian (*I. c.*) and Harpocration (*s. v. θεωρικά*, quoting Philinus) that the money thus distributed was intended to provide not only a seat in the theatre, but also a meal

ὑποσχόμενος ἐπιθήσειν πρὸς τοὺς δυοῖν ὄβολοῖν ἄλλον ὄβολον. τούτων μὲν οὖν ἀμφοτέρων θάνατον κατέγνωσαν ὕστερον· εἴωθεν γάρ, καὶ ἐξαπατήθη τὸ πλῆθος, ὕστερον μισεῖν τούς τι προσαγαγόντας ποιεῖν αὐτοὺς τῶν μὴ καλῶς ἔχοντων. ἀπὸ δὲ Κλεοφῶντος ἡδη διεδέχοντο συνεχῶς τὴν δημαγωγίαν οἱ μάλιστα βουλόμενοι θρασύνεσθαι καὶ χαρίζεσθαι τοῖς πολλοῖς πρὸς τὰ παραυτίκα βλέποντες. δοκοῦσι δὲ οἱ βέλτιστοι γεγονέναι τῶν Ἀθηνῆσι πολιτευσαμένων μετὰ τοὺς ἀρχαίους Νικίας καὶ Θουκυδίδης καὶ Θηραμένης· καὶ περὶ μὲν Νικίου

to celebrate the holiday. It therefore appears that the ground on which the extension of the theoricon was made was that of helping the citizens to enjoy the great festivals thoroughly.

A further problem is suggested by the mention of the name of Callicrates. There was an Athenian proverb ὑπὲρ τὰ Καλλικράτους, used in the case of anything exceeding all reasonable measure; and the origin of it is explained by Zenobius (VI. 29) from the present treatise, Ἀριστοτέλης δέ φησιν ἐν τῇ Ἀθηναίων πολιτείᾳ Καλλικράτην τινὰ πρῶτον τῶν δικαστῶν τοὺς μισθοὺς εἰς ὑπερβολὴν αὐξῆσαι, ὅθεν καὶ τὴν παροιμίαν εἰρήσθαι (Rose, *Frag.* 422). No such passage occurs in the treatise as it stands at present, and the coincidence of the name Callicrates may suggest that this is the place referred to. But, if so, it is certain that Zenobius completely misunderstood it, since it is unquestionable, as shown above, that the pay of the dicasts had been raised to three obols long before the time of Callicrates, and there would moreover have been no great absurdity in proposing to raise their stipend from two to three obols. As, however, it appears from the words of Zenobius that Aristotle actually quoted the proverb in question, it seems certain that his reference is to some passage which is missing in the present condition of the MS.

πολιτευσαμένων: MS. πολειτευσαμενων.

Νικίας καὶ Θουκυδίδης καὶ Θηραμένης: this passage is referred to by Plutarch (*Nic.* 2), ἔνεστιν οὖν περὶ Νικίου πρῶτον εἰπεῖν δέ γέγραφεν Ἀριστοτέλης, ὅτι τρεῖς ἐγένοντο βέλτιστοι τῶν πολιτῶν καὶ πατρικὴν ἔχοντες εἶνουσαν καὶ φιλίαν πρὸς τὸν δῆμον, Νικίας δὲ Νικηράτους καὶ Θουκυδίδης δὲ Μελησίου καὶ Θηραμένης δὲ Ἀγνωνος (Rose, *Frag.* 369). This judgment shows with some clearness the political prepossessions of Aristotle; but his statement that nearly everyone was of one mind as to the merits of

καὶ Θουκυδίδου πάντες σχεδὸν ὁμολογοῦσιν ἄνδρας γεγονέναι οὐ μόνον καλοὺς κάγαθοὺς ἀλλὰ καὶ πολιτικοὺς καὶ τῇ πόλει πάσῃ πατρικῶς χρωμένους, περὶ δὲ Θηραμένους διὰ τὸ συμβῆναι κατ' αὐτὸν ταραχώδεις τὰς πολιτείας ἀμφισβήτησις τῆς κρίσεώς ἔστι. δοκεῖ μέντοι τοῖς μὴ παρέργως ἀποφαινομένοις οὐχ ὥσπερ αὐτὸν διαβάλλουσι πάσας τὰς πολιτείας καταλύειν, ἀλλὰ πάσας πρᾶγας ἔως μηδὲν παρανομοῖεν, ὡς δυνάμενος πολιτεύεσθαι κατὰ πάσας, ὅπερ ἔστιν ἀγαθοῦ πολίτου ἔργον, παρανούσας δὲ οὐ συγχωρῶν ἀλλ' ἀπεχθανόμενος.

29. Ἔως μὲν οὖν ἵστροπα τὰ πράγματα κατὰ τὸν πόλεμον ἦν διεφ[ύλαττον] τὴν δημοκρατίαν. ἐπεὶ δὲ μετὰ τὴν ἐν Σικελίᾳ γενομένην διαφορὰν ἵσχυρότατα τὰ τῶν Λακεδαιμονίων ἐγένετο διὰ τὴν πρὸς βασιλέα συμμαχίαν, ἥναγκάσθησαν με[ταστήσα]ντες τὴν δημοκρατίαν καταστῆσαι τὴν ἐπὶ τῶν τετρακοσίων πολιτείαν, εἰπό[ντο]ς τὸν μὲν πρὸ τοῦ ψηφίσματος λόγον Μηλοβίου, τὴν δὲ γνώμην γράψαντος Πυθοδώρου το[ῦ] . . . τίου, μάλιστα δὲ

Nicias and Thucydides is somewhat noticeable. As to Theramenes, it is clear from Aristotle's own defence of him here that he was simply an Opportunist with aristocratical sympathies.

πατρικῶς: this has been corrected in the MS. to *καλῶς*, but the quotation of the passage in Plutarch (given above) confirms the more uncommon word.

μέντοι: MS. *μεν*, but there is no corresponding δέ, and the omission of *τοῖς* is easily explained by the following *τοῖς*.

29. *ἵστροπα*: MS. *ἱστροπα*.

διαφοράν: so the MS., but it may be questioned whether *διαφθοράν* is not the right word.

Μηλοβίου: probably the same as the Melobius who was afterwards one of the Thirty; he was one of the party sent to arrest Lysias and Polemarchus (Lysias, *contr. Erat.* p. 121).

συμπεισθέντων τῶν πολλῶν διὰ τὸ νομίζειν βασιλέα [ἄσμενο]ν ἔαυτοῖς συμπολεμήσειν ἐὰν δὶ' ὀλίγων ποιήσωνται τὴν πολιτείαν. ἦν δὲ τὸ ψήφισμα τοῦ [Col. 12.] Πυθοδώρου τοίονδε· τὸν δῆμον ἐλέσθαι μετὰ τῶν προϋπαρχόντων δέκα προβούλων ἄλλους εἴκοσι ἐκ τῶν ὑπὲρ τετταράκοντα ἔτη γεγονότων, οἵτινες ὄμοσαντες ἡ μὴν συγγράψειν ἢ ἀν ἡγῶνται βέλτιστα είναι τῇ πόλει συγγράψουσι περὶ τῆς σωτηρίας· ἔξειναι δὲ καὶ τῶν ἄλλων τῷ βουλομένῳ γράφειν, ἵν' ἔξ ἀπάντων αἱρῶνται τὸ ἄριστον. Κλειτοφῶν δὲ τὰ μὲν ἄλλα καθάπερ Πυθόδωρος εἶπεν, προσαναζητῆσαι δὲ τοὺς αἱρεθέντας ἔγραψεν καὶ τοὺς πατρίους νόμους οὓς Κλεισθένης ἔθηκεν ὅτε καθίστη τὴν δημοκρατίαν, ὅπως ἀκούσαντες καὶ τούτων βουλεύσωνται τὸ ἄριστον, ως οὐ δημοτικὴν ἄλλὰ παραπλησίαν οὖσαν τὴν Κλεισθένους πολιτείαν τῇ

τῶν προϋπαρχόντων δέκα προβούλων: Thucydides (VIII. 67) speaks of ten persons being elected as *συγγραφεῖς αὐτοκράτορες*, but says nothing of the additional twenty mentioned by Aristotle. The latter is, however, supported by Philochorus and Androton, as appears from Harpocration (s. v. *συγγραφεῖς*), who after quoting the words of Thucydides adds *ἵσαν δὲ οἱ μὲν πάντες συγγραφεῖς ἢ οἱ τότε αἱρεθέντες, καθά φησιν Ἀυδροτιών τε καὶ Φιλόχορος, ἐκάρερος ἐν τῇ Ἀτθίδι· δὲ Θουκυδίδης τῶν ἵ έμημόνευε μόνων τῶν προβούλων.* From Aristotle's account it would appear that there was an existing board of ten *πρόβούλοι*, which was probably the continuation of that which was first appointed after the news of the Sicilian disaster (Thuc. VIII. 1); and to this twenty additional members were elected for the special purpose on hand. That Thucydides and Aristotle are speaking of the same body is clear from their accounts of the work done by it, as well as from the words of Harpocration.

τὸ ἄριστον: there is a single stroke following τὸ in the MS., which looks as though the copyist had begun to write τόν but had seen that it was wrong before completing the word. τὸ ἄριστον is confirmed by the recurrence of the phrase below.

Κλειτοφῶν: as Pythodorus is spoken of above as the author of the *γρόμη* or *ψήφισμα* which was passed by the assembly, it would appear that the rider proposed by Cleitophon was rejected.

Σόλωνος. οἱ δὲ αἰρεθέντες πρῶτον μὲν ἔγραψαν ἐπάναγκες εἶναι τὸν πρυτάνεις ἅπαντα τὰ λεγόμενα περὶ τῆς σωτηρίας ἐπιψηφίζειν, ἔπειτα τὰς τῶν παρανόμων γραφὰς καὶ τὰς εἰσαγγελίας καὶ τὰς προκλήσεις ἀνεῖλον, ὅπως ἀν οἱ ἐθέλοντες Ἀθηναῖοι συμβουλεύωσι περὶ τῶν προκειμένων· ἐὰν δέ τις τούτων χάριν ἡ ζημιοῦ ἡ προσκάληται ἡ εἰσάγη εἰς δικαστήριον, ἔνδειξιν αὐτοῦ εἶναι καὶ ἀπαγωγὴν πρὸς τὸν στρατηγούς, τὸν δὲ στρατηγοὺς παραδοῦναι τοῖς ἔνδεκα θανάτῳ ζημιώσαι. μετὰ δὲ ταῦτα τὴν πολιτείαν διέταξαν τόνδε τρόπον· τὰ μὲν χρήματα (τὰ) προσιόντα μὴ ἔξειναι ἄλλοσε δαπανῆσαι ἡ εἰς τὸν πόλεμον, τὰς δὲ ἀρχὰς ἀμίσθους ἀρχειν ἀπάσας ἔως ἀν ὁ πόλεμος ἦ, πλὴν τῶν ἐννέα ἀρχόντων καὶ τῶν πρυτανέων οἱ ἀν ὁσιν τούτους δὲ φέρειν τρεῖς ὄβολοὺς ἔκαστον τῆς ἡμέρας. τὴν δὲ ἄλλην πολιτείαν ἐπιτρέψαι πᾶσιν Ἀθηναίων τοῖς δυνατωτάτοις καὶ τοῖς σώμασιν καὶ τοῖς χρήμασιν ληιτουργεῖν μὴ ἔλαττον ἡ πεντακισχιλίοις ἔως ἀν ὁ πόλεμος ἦ.

πρῶτον μὲν ἔγραψαν κ.τ.λ.: this is substantially the same as the briefer summary of Thucydides (VIII. 67), that the συγγραφεῖς proposed nothing except that any Athenian might suggest anything he liked without fear of penalties (ἔξειναι μὲν Ἀθηναίφ ἀνδρὶ εἴτεν γράμμην ἢν ἀν τις βούληται ἢν δέ τις τὸν εἰπόντα ἡ γράψῃται παρανόμων ἡ ἀλλοτριοφορητήριον, μεγάλας ζημιάς ἐπέθεσαν).

εἰς δικαστήριον: MS. η εἰς δικαστηρίου, plainly a mere clerical error.

τὰ μὲν χρήματα κ.τ.λ.: cf. Thucydides (VIII. 65), λόγος τε . . . προειργαστο αὐτοῖς ὡς οὗτε μασθοφορητέον εἴη ἄλλους ἡ τὸν στρατευομένους, οὗτε μεθεκτέον τῶν πραγμάτων πλείσσιν ἡ πεντακισχιλίοις, καὶ τούτοις οἱ ἀν μάλιστα τοῖς τε χρήμασι καὶ τοῖς σώμασιν ὀφελεῖν οἷοι τε ὁσιν.

τὰ πρ τιόντα: the article seems to be required, and its omission in the MS. is easily explained by the similarity of the termination of the preceding word.

πεντακισχιλίοις: corrected in the MS. to πεντακισχιλιών, the corrector having apparently overlooked the fact that ἡ precedes.

κυρίους δ' εἶναι τούτους καὶ συνθήκας συντίθεσθαι πρὸς οὓς ἀν ἐθέλωσιν ἐλέσθαι δὲ καὶ τῆς φυλῆς ἐκάστης δέκα ἄνδρας ὑπὲρ τετταράκοντα ἔτη γεγονότας, οἵτινες καταλέξουσι τοὺς πεντακισχιλίους ὄμβοσαντες καθ' ιερῶν τελείων.

30. Οι μὲν οὖν αἱρεθέντες ταῦτα συνέγραψαν. κυρωθέντων δὲ τούτων εἴλοντο σφῶν αὐτῶν οἱ πεντακισχιλίοι τοὺς ἀναγράψοντας τὴν πολιτείαν ἐκατὸν ἄνδρας. οἱ δ' αἱρεθέντες ἀνέγραψαν καὶ ἔξήνεγκαν τάδε. βουλεύειν μὲν κατ' ἐνιαυτὸν τοὺς ὑπὲρ τριάκοντα ἔτη γεγονότας ἀνεὺ μισθοφορᾶς· τούτων δ' εἶναι τοὺς στρατηγοὺς καὶ τοὺς ἐννέα ἄρχοντας καὶ τὸν ἱερομνήμονα καὶ τοὺς ταξιάρχους καὶ ἵππαρχους καὶ φυλάρχους καὶ ἄρχοντας εἰς τὰ

30. εἴλοντο σφῶν αὐτῶν οἱ πεντακισχιλίοι τοὺς ἀναγράψοντας: this statement, which is confirmed below (*οἱ ὑπὸ τῶν πεντακισχιλίων αἱρεθέντες*), seems to be in direct contradiction to the assertion in ch. 32 that the 5000 λόγῳ μόνον ἡρέθησαν, with which Thucydides agrees (VIII. 92). Probably the body that elected the 100 commissioners here spoken of was of the same kind as that which took over the government after the fall of the Four Hundred, which consisted of all who could furnish arms (Thuc. VIII. 97), though it was nominally Five Thousand. The same may have been the case now. All who could bear arms were provisionally entitled the Five Thousand until a body of that exact number had been drawn up by the board of 100 which was to be appointed for that purpose. It is clear that the Five Thousand contemplated by the complete constitution planned by the leaders of the revolution were not to be an indefinite body including all persons who could bear arms, but were to be limited to the number mentioned; for in Thuc. VIII. 86 the envoys from the Four Hundred tell the army in Samos that they will all be members of the Five Thousand *in turn*. This body would have required to be carefully drawn up, and till that could be done it seems that all qualified persons were provisionally considered to belong to it, and that they elected the hundred persons here spoken of, who drew up complete schemes alike for the present administration of Athens and for its future constitution.

φρούρια καὶ ταμίας τῶν ἱερῶν χρημάτων τῇ θ[εῷ] καὶ τῷοῖς ἄλλοις θεοῖς δέκα καὶ ἑλληνοταμίας καὶ τῶν ἄλλων ὁσίων χρημάτων ἀπάντων εἴκοσιν οἱ διαχειριστοῦσιν καὶ ἱεροποίους καὶ ἐπιμελητὰς δέκα ἑκατέρους· αἱρεῖσθαι δὲ πάντας τούτους ἐκ προκρίτων, ἐκ τῶν ἀεὶ βουλευόντων πλείους προκρίνοντας, τὰς δ' ἄλλας ἀρχὰς ἀπάσας κληρωτὰς εἶναι καὶ μὴ ἐκ τῆς βουλῆς· τοὺς δὲ ἑλληνοταμίας οἱ ἐὰν διαχειρίζωσι τὰ χρήματα μὴ συμβουλεύειν. βουλὰς δὲ ποιῆσαι τέτταρας ἐκ τῆς ηλικίας τῆς εἰρημένης

ταμίας τῶν ἱερῶν χρημάτων τῇ θεῷ καὶ τοῖς ἄλλοις θεοῖς: cf. Boeckh, *Public Economy*, II. 5. Every temple at Athens had its own treasurers, those of the temple of Athena being far the most important; but about 419 B.C. the various treasurers, with the exception of those of Athena, were united in a single board under the title of *ταμίαι τῶν ἄλλων θεῶν*.

Ἐλληνοταμίας: it is presumably to this passage that Harpocration (*s. v.*) refers, when he says, ὅτι ἀρχή τις ἡν οἱ ἑλληνοταμίαι, οἱ διαχειρίζον τὰ χρήματα, καὶ Ἀριστοτέλης δηλοῖ ἐν τῇ Ἀθηναῖν πολιτείᾳ (Rose, *Frag.* 362). There is no fuller description of them in the second part of the work, because the office did not exist in Aristotle's own day. It is not clear why they are named here as belonging to the Council, when immediately below it is stated that they were not to do so.

καὶ τῶν ἄλλων ὁσίων χρημάτων εἴκοσι: Boeckh (*l. c.*) considers the public money to have been in the keeping of the *ταμίαι τῆς θεοῦ*, but the present passage, showing that there were to be different treasurers for the sacred and the secular treasures under the constitution of the Four Hundred, affords a very strong presumption that the same was the case ordinarily at Athens.

πλείους προκρίνοντας: that is, the holders of these offices, who were all to be members of the Council of Four Hundred, were at the expiration of their term of office to nominate a number of candidates to succeed themselves. The final selection among the candidates thus nominated rested with the full Council.

βουλὰς δὲ ποιῆσαι τέτταρας κ.τ.λ.: the arrangement of the *βουλαῖ* is not very clearly expressed, but it seems to be as follows. There were to be four councils, each of a hundred persons, which were to cast lots for precedence, the one securing the first lot to hold office for a year, while the others followed in order, each on the termination of its predecessor's term. In the first instance they were to be formed from the board of one hundred which was drawing up the constitution (*τοὺς*

εἰς τὸν λοιπὸν χρόνον, καὶ τούτων τὸ λαχὸν μέρος βουλεύειν, νεῖμαι δὲ καὶ τοὺς ἄλλους πρὸς τὴν λῆξιν ἔκαστην. τοὺς δ' ἑκατὸν ἄνδρας διανεῖμαι σφᾶς τε αὐτοὺς καὶ τοὺς ἄλλους τέτταρα μέρη ὡς ἴσαιάτατα καὶ διακληρῶσαι, καὶ εἰς ἐνιαυτὸν <βουλεύειν>. βουλεύειν δὲ γὰρ ἀν δοκῆ αὐτοῖς ἄριστα ἔξειν περὶ τε τῶν χρημάτων, ὅπως ἀν σῶα γὰρ καὶ εἰς τὸ δέον ἀναλίσκηται, καὶ περὶ τῶν ἄλλων ὡς ἀν δύνωνται ἄριστα· καν τι θέλωσιν βουλεύσασθαι μετὰ πλειόνων, ἐπεισκαλεῖν ἔκαστον ἐπείσκλητον ὃν ἀν ἐθέλῃ τῶν ἐκ τῆς αὐτῆς ἡλικίας· τὰς δ' ἔδρας ποιεῖν τῆς βουλῆς κατὰ πενθήμερον ἐὰν μὴ δέωνται πλειόνων. κληροῦν δὲ τὴν βουλὴν τοὺς ἐννέα ἄρχοντας, τὰς δὲ χειροτονίας κρίνειν πέντε τοὺς λαχόντας ἐκ τῆς βουλῆς, καὶ ἐκ τούτων ἔνα κληροῦσθαι καθ' ἔκαστην ἡμέραν τὸν ἐπιψηφιοῦντα. κληροῦν δὲ τοὺς λαχόντας πέντε τοὺς ἐθέλοντας προσελθεῖν ἐναυτίον τῆς βουλῆς, πρῶτον μὲν ἱερῶν, δεύτερον δὲ ἑκατὸν ἄνδρας) and from certain others, in whom we may see the 300 co-opted members of the original Four Hundred mentioned by Thucydides (VIII. 67), and these were to be divided into four equal parts to make the first four councils. That the councils were to consist of 100 members each appears from ch. 31, *sub fin.*, where it is said that the original 400 were to be divided into τὰς τέτταρας λῆξεις.

βουλεύειν: MS. δουλεύειν.

εἰς ἐνιαυτὸν βουλεύειν: βουλεύειν is not in the MS., but it seems necessary to supply it, and its recurrence as the first word of the following sentence is enough to explain its omission.

καν: MS. εαν, but a copula seems necessary.

ἐπείσκλητον: MS. επεισεκλητον. The word is unknown to the lexicographers, but so also is ἐπεισκαλεῖν.

πενθήμερον: MS. πενθημιμερον. The meaning must be 'once every five days.' The βουλή under the democracy sat every day except on festivals (πλὴν ἐάν τις ἀφέσιμος γένηται, ch. 43).

ἱερῶν . . κήρυξιν . . πρεσβείᾳ . . τῶν ἄλλων: the change of case is remarkable, though a κατὰ σύνεσιν construction might be made out for

κηρυξιν, τρίτον πρεσβείᾳ, τέταρτον τῶν ἄλλων· τὰ δὲ τοῦ πολέμου ὅταν δέη ἀκληρωτὶ προσαγαγόντας τοὺς στρατηγοὺς χρηματίζεσθαι. τὸν δὲ μὴ ίόντα εἰς τὸ βουλευτήριον τῶν βουλευόντων τὴν ὥραν τὴν προρηθεῖσαν ὄφείλειν δραχμὴν τῆς ἡμέρας ἐκάστης, ἐὰν μὴ εὐρισκόμενος ἀφεσιν τῆς βουλῆς ἀπῆ.

[Col. 13.] 31. Ταύτην μὲν οὖν εἰς τὸν μέλλοντα χρόνον ἀνέγραψαν τὴν πολιτείαν, ἐν δὲ τῷ παρόντι καιρῷ τήνδε βουλεύειν μὲν τετρακοσίους κατὰ τὰ πάτρια, τετταράκοντα ἐξ ἐκάστης φυλῆς, ἐκ προκρίτων [ο]ὓς ἀν ἔλωνται οἱ φυλέται τῶν ὑπὲρ τριάκοντα ἔτη

each. The order of business is probably that usually adopted in the βουλή under the democracy. In the ecclesia, as appears from ch. 43, different subjects were assigned to each of the four ordinary meetings of that body in each prytany.

31. Ταύτην μὲν οὖν: the handwriting of the MS. changes here, and the new hand continues as far as the middle of the 20th column. This hand is a much larger uncial than the first, and not semi-cursive, as that is (*vid. Introduction*); it is clearly the hand of a scribe, though a somewhat uneducated one. Mistakes, which have hitherto been rare, become not unfrequent, and several forms of mis-spelling are chronic. As it would be tedious to note each case as it occurs the chief classes of them may be mentioned here. The single letter *i* often takes the place of the diphthong *ει*, especially in the preposition *εις*; *e.g.* *ισιοντα*, *πλιον*, *ιληχιαν*. On the other hand *ει* appears for *i*, as in *πολειτικων*, *μετακεινειν*. The *i* ascript is often omitted, and *v* appears instead of *γ* before *γ* and *κ*. These mis-spellings, as well as the actual mistakes which occur from time to time, are generally corrected in the hand of the writer of the first part of the MS.; and it seems probable, as suggested in the Introduction, that the first part was written by a scholar who desired to possess a copy of Aristotle's work, while the second part was copied by a scribe under his revision. Finally it may be noticed that there are no abbreviations in this hand, and that the columns are much narrower. Blunders of the scribe which are corrected by the reviser are not mentioned in the notes, any more than the habitual mis-spellings above mentioned.

κατὰ τὰ πάτρια: *i.e.* as in the Solonian constitution.

οὓς ἀν ἔλωνται οἱ φυλέται: this differs from Thucydides, who says (VIII. 67) that the Four Hundred were elected by a process of co-optation; five *πρόεδροι*, elected by the ecclesia at Colonus, were to

γεγονότων. τούτους δὲ τάς τε ἀρχὰς καταστῆσαι καὶ περὶ τοῦ ὄρκου ὅντινα χρὴ ὄμόσαι γράψαι, *(καὶ)* περὶ τῶν νόμων καὶ τῶν εὐθυ[ν]ῶν καὶ τῶν ἄλλων πράττειν ἃ ἀν ἡγῶνται [συμ]φέρειν. τοῖς δὲ νόμοις οἱ ἐὰν τεθῶσιν περὶ τῶν πολιτικῶν χρῆσθαι, καὶ μὴ ἔξειναι μετακινεῦν μηδὲ ἐτέρους θέσθαι. τῶν δὲ στρατηγῶν τὸ νῦν εἶναι τὴν αἵρεσιν ἐξ ἀπάντων ποιεῖσθαι τῶν πεντακισχιλίων, τὴν δὲ βουλὴν ἐπειδὰν καταστήσῃ ποιήσασαν ἐξέτασιν ὅπλοις ἐλέσθαι δέκα ἄνδρας καὶ γραμματέα τούτοις, τοὺς δὲ αἱρεθέντας ἄρχειν τὸν εἰσιόντα ἐνιαυτὸν αὐτοκράτορας, καὶ ἀν τι δέωνται συμβουλεύεσθαι μετὰ τῆς βουλῆς. ἐλέσθαι δὲ καὶ ἵππαρχον ἔνα καὶ φυλάρχους δέκα· τὸ δὲ λοιπὸν τὴν αἵρεσιν ποιεῖσθαι τούτων τὴν βουλὴν κατὰ τὰ γεγραμμένα. τῶν δὲ ἄλλων ἄρχων πλὴν τῆς βουλῆς καὶ τῶν στρατηγῶν μὴ ἔξειναι μήτε τούτοις μήτε ἄλλῳ μηδενὶ πλείον ἢ

choose a hundred persons, who were each to nominate three others. It is difficult to decide between two such good authorities; but possibly Thucydides may have taken the arrangement of the four councils by the original hundred commissioners (see note on ch. 30, βουλὰς δὲ κ.τ.λ.) to be a co-optation of three hundred additional members, whereas from Aristotle we should gather that the tribes elected the whole four hundred, or rather that they elected three hundred in addition to the hundred already existing, and that those hundred were eventually to distribute themselves and the remaining three hundred into four separate councils,—an arrangement which never came into force, owing to the overthrow of the oligarchical government.

καὶ περὶ τῶν νόμων: *καὶ* is not in the MS., but it seems to be required, and its omission is easily explained by the similarity of the termination of γράψαι, which precedes it.

ἵππαρχον ἔνα: ordinarily there were two hipparchs (*cf. ch. 61*).

τὸ δὲ λοιπόν: MS. τὸ δε το λοιπον.

πλήν: MS. πριν; *cf. ch. 37*, where the same mistake is made, but has been corrected by the reviser, while in ch. 38 it again occurs uncorrected.

ἄπαξ ἄρξαι τὴν αὐτὴν ἀρχήν. εἰς δὲ τὸν ἄλλον χρόνον ἵνα νεμηθῶσιν οἱ τετρακόσιοι εἰς τὰς τέτταρας λήξεις *ὅταν τοῖς ἀστοῖς γίγνηται μετὰ τῶν ἄλλων βουλεύειν, διανειμάντων αὐτοὺς οἱ ἑκατὸν ἄνδρες.*

32. Οἱ μὲν οὖν ἑκατὸν οἱ ὑπὸ τῶν πεντακισχιλίων αἰρεθέντες ταύτην ἀνέγραψαν τὴν πόλιτείαν. ἐπικυρωθέντων δὲ τούτων ὑπὸ τοῦ πλήθους, ἐπιψηφίσαντος Ἀριστομάχου, ἡ μὲν βουλὴ ἐπὶ Καλλίου πρὶν διαβουλεῦσαι κατελύθη μηνὸς Θαργηλίωνος τετράδι ἐπὶ δέκα, οἱ δὲ τετρακόσιοι εἰσῆσαν ἐνάτη φθίνοντος Θαργηλίωνος· ἔδει δὲ τὴν εἰληχυῖαν τῷ κυάμῳ βουλὴν εἰσιέναι δὲ ἐπὶ δέκα Σκιροφορίωνος. ἡ μὲν οὖν ὀλιγαρχία τοῦτον κατέστη τὸν τρόπον ἐπὶ Καλλίου μὲν ἄρχοντος, ἔτεσιν δὲ ὕστερον τῆς τῶν τυράννων ἐκβολῆς μάλιστα ἑκατόν, αἰτίων μάλιστα γενομένων Πεισάνδρου καὶ Ἀντιφῶντος

ὅταν κ.τ.λ.: this sentence is manifestly corrupt, but it is not clear how it is to be satisfactorily emended. That the revision by the original owner was not quite thorough is shown by the fact that though he has corrected two blunders in this passage (*γηνηται* and *διανιμαντων*) he has allowed the last word to stand as *ανδρεις*. The *ἑκατὸν ἄνδρες* referred to are the hundred constitution-makers, and there is clearly a reference to their distribution of the Four Hundred into the four councils of one hundred which were to succeed them.

32. μηνὸς Θαργηλίωνος τετράδι ἐπὶ δέκα: this, as appears from what follows, was exactly a month before the completion of the Council's year of office, Thargelion (May) being the month immediately preceding Scirophorion (June), which was the last of the Athenian civil year. Callias' year of office began in July 412 B.C., and was now within a month of its termination.

εἰσῆσαν: MS. *εισησσαν.*

ἔδει: MS. *ετι.*

Πεισάνδρον: MS. *Πεισανδρον.* An *ε* is added above the line, but it is not clear whether it is intended to be substituted for the *ετ* (which would be better effected by simply striking out the *τ*) or if it is to be

καὶ Θηραμένους, ἀνδρῶν καὶ γεγενημένων εὑρίσκεται καὶ γυνώμη δοκούντων διαφέρειν. γενομένης [Col. 14.] δὲ ταύτης τῆς πολιτείας οἱ μὲν πεντακισχίλιοι λόγω μόνον ἥρεθησαν, οἱ δὲ τετρακόσιοι μετὰ τῶν δέκα τῶν αὐτοκρατόρων εἰσελθόντες εἰς τὸ βουλευτήριον ἥρχον τῆς πόλεως, καὶ πρὸς Λακεδαιμονίους πρεσβευτάμενοι κατελύοντο τὸν πόλεμον ἐφ' οἷς ἐκάτεροι τυγχάνουσιν ἔχοντες. οὐχ ὑπακούσαντων δὲ ἐκείνων εἰ μὴ καὶ τὴν ἀρχὴν τῆς [θ]αλάττης ἀφήσουσιν, οὕτως ἀπέστησαν.

33. Μῆνας μὲν οὖν ἵστως τέτταρας διέμεινεν ἡ τῶν τετρακοσίων πολιτεία, καὶ ἥρξεν ἔξι αὐτῶν

inserted before the *τ*. The enumeration of these three leaders is parallel with that in Thucydides (VIII. 68), but the latter names Phrynicus instead of Theramenes; and to judge from the general character of Theramenes it is probable that he was not so much an originator of this revolution as one of the first to recognise that it was impending and to adapt himself to it so as to secure for himself a prominent position under the new régime.

ἥρεθησαν: this word is written twice in the MS., but the repetition is cancelled by a row of dots above it. In the first instance it has been corrected in the scribe's own hand, quite unnecessarily, to *ερηθησαν*.

οἱ : MS. *ο*.

τῶν δέκα τῶν αὐτοκρατόρων: the generals mentioned in the preceding chapter.

τυγχάνουσιν: two superfluous letters, apparently *λε* or *τε*, have got inserted in the MS. before the *χ*, where the word is broken by the end of a line. *

ὑπακούσαντων: MS. *υφακούσαντων*.

33. Μῆνας . . . τέτταρας: the Four Hundred came into power rather less than two months before the end of the archonship of Callias, and their rule consequently extended over rather more than two months of the following year (May–Sept. 411 B.C.). Mnasilochus was the archon eponymus of their election; but Theopompus being elected on the re-establishment of the democracy the year was subsequently known by his name. Harpocration (*s. v. τετρακόσιοι*) refers to Aristotle's *Αθηναίων πολιτεία* as his authority for the duration of the rule of the Four Hundred (Rose, *Frag.* 372).

Μνασίλοχος δίμηνον ἐπὶ Θεοπόμπου ἄρχοντος, *ὅς* ἦρξε τὸν ἐπιλοίπους δέκα μῆνας. ἡττηθέντες δὲ τῇ περὶ Ἐρετρίαν ναυμαχίᾳ [καὶ] τῆς Εύβοιας ἀποστάσης ὅλης πλὴν Ὄρεοῦ, χαλεπῶς ἐνεγκόντες ἐπὶ τῇ συμφορᾷ μάλιστα τῶν προγεγενημένων (πλείω γὰρ ἐκ τῆς Εύβοιας ἡ τῆς Ἀττικῆς ἐτύγχανον ὀφελούμενοι) κατέλυσαν τὸν τετρακοσίους καὶ τὰ πράγματα παρέδωκαν τοῖς πεντακισχιλίοις τοῖς ἐκ τῶν ὅπλων, ψηφισάμενοι μηδεμίαν ἀρχῆν εἶναι μισθοφόρων. αἰτιώτατοι δὲ ἐγένοντο τῆς καταλύσεως Ἀριστοκράτης καὶ Θηραμένης, οὐ συναρεσκόμενοι τοῖς ὑπὸ τῶν τετρακοσίων γενομένοις ἅπαντα γὰρ δι' αὐτῶν ἐπραττον, οὐδὲν ἐπαναφέροντες τοῖς πεντακισχιλίοις. δοκοῦσι δὲ καλῶς πολιτευθῆναι κατὰ τούτους τὸν καιρούς, πολέμου τε καθεστώτος καὶ ἐκ τῶν ὅπλων τῆς πολιτείας οῦσης.

34. Τούτους μὲν οὖν ἀφείλετο τὴν πολιτείαν ὁ δῆμος διὰ τάχους· ἔτει δὲ ἐβδόμῳ μετὰ τὴν τῶν

Μνασίλοχος: originally written *Μνασιμάχος* in the MS., but corrected. *Mnasilochus* or *Mnesilochus* is probably the same as the person of that name who was subsequently a member of the Thirty (*Xen. Hell. II. 3. 2*).

δε: the insertion of this word seems necessary, and its omission is easily explained by the similarity of the termination of the preceding word, *ἄρχοντος*.

Ὄρεοῦ: M.S. *Ωριον*.

Ἀριστοκράτης καὶ Θηραμένης: cf. *Thuc. VIII. 89*.

δοκοῦσι δὲ καλῶς πολιτευθῆναι κατὰ τούτους τὸν καιρούς: this must undoubtedly be an intentional repetition of the comment of Thucydides (VIII. 97) in which the same judgment is expressed at greater length.

34. *διὰ τάχους*: as has been suggested in the Introduction, this phrase probably indicates that the abolition of the government by the nominal Five Thousand, and the re-establishment of the full democracy, took place after the victory of Cyzicus in 410 B.C., which both restored the confidence of the people and allowed the fleet, the embodiment of the most advanced democratic sentiments of the time, to return to Athens.

ἔτει (M.S. *ετὶ*) *δὲ ἐβδόμῳ*: this must be a mistake. The archonship of

τετρακοσίων κατάλυσιν, ἐπὶ Καλλίου τοῦ Ἀγγελῆθεν ἄρχοντος, γενομένης τῆς ἐν Ἀργινούσαις ναυμαχίᾳς, πρῶτον μὲν τοὺς δέκα στρατηγοὺς τοὺς τῇ ναυμαχίᾳ νικῶντας συνέβη κριθῆναι μίᾳ χειροτονίᾳ πάντας, τοὺς μὲν οὐδὲ συνναυμαχήσαντας, τοὺς δ' ἐπ' ἀλλοτρίας νεώς σωθέντας, ἐξαπατηθέντος τοῦ δήμου διὰ τοὺς παροργίσαντας· ἐπειτα βουλομένων Λακεδαιμονίων ἐκ Δεκελείας ἀνιέναι καὶ ἐφ' οἷς ἔχουσιν ἐκάτεροι εἰρήνην ἄγειν, ἔνιοι μὲν ἐσπούδαζον, τὸ δὲ πλῆθος οὐχ ὑπήκουσεν ἐξαπατηθέντες [Col. 15.]

Theopompus, in which the Four Hundred were overthrown, was in 411-410 B.C., and the archonship of Callias in 406-405 B.C. The latter was therefore in the sixth year after the dissolution of the Four Hundred, not the seventh. The calculation was probably made by inadvertence from the *establishment* of the Four Hundred, which was in the official year 412-411 B.C.

τοὺς δέκα στρατηγούς: Aristotle is certainly inaccurate here. Two of the ten generals, Conon and Leon, were not included in the accusation, the former having been blockaded in Mytilene during the battle, while of the latter we hear nothing in connection with either the battle or the trial. Of the remaining eight two, Protomachus and Aristogenes, declined to come to Athens to stand their trial; and consequently only six of the whole ten were tried and executed.

χειροτονίᾳ: the decision to try all the generals collectively was taken by *χειροτονίᾳ*, but the actual vote which condemned them was by ballot (*Xen. Hell. I. 7. 34*).

τοὺς μὲν οὐδὲ συνναυμαχήσαντας: it is difficult to understand this, as Xenophon expressly names eight of the generals (all except Conon and Leon) as having been present at the battle, and indicates their respective positions in the Athenian line. Unless Leon was included in the accusation, of which there is no sign in any other authority, the statement of Aristotle seems to be an unwarranted exaggeration due to his evident dislike (or that of the authorities on whom he relied) of the proceedings in reference to the generals. His other statement, that some of the generals themselves had to be saved, instead of being in a position to save others, is possible enough.

τοὺς δ' ἐπ' ἀλλοτρίας: MS. omits δέ.

ἐξαπατηθέντος: MS. *εξαπατηθεντες*.

ἐκάτεροι εἰρήνην: MS. *ιρηνην εκατεροι*, an inversion which is more likely to be due to the scribe than to the author.

ὑπὸ Κλεοφῶντος, ὃς ἐκώλυσε γενέσθαι τὴν εἰρήνην ἐλθὼν εἰς τὴν ἐκκλησίαν μεθύων καὶ θώρακα ἐνδεδυκώς, οὐ φάσκων ἐπιτρέψειν ἐὰν μὴ πάσας ἀφιῶσι Λακεδαιμόνιοι τὰς πόλεις. οὐ χωρησάμενοι δὲ καλῶς τότε τοῖς πράγμα[σι], μετ' οὐ πολὺν χρόνου ἔγνωσαν τὴν ἀμαρ[τίαν]. τῷ γὰρ ὕστερον ἔτει ἐπ' Ἀλεξίου ἄρχοντος ἡτύχησαν τὴν ἐν Αἰγὸς ποταμοῖς ναυμαχίαν, ἐξ ἣς συνέβη κύριον γενόμενον τῆς πόλεως Λύσανδρον καταστῆσαι τοὺς τριάκοντα τρόπω τοίῳδε. τῆς εἰρήνης γενομένης αὐτοῖς ἐφ' Ὡ τε πολιτεύσονται τὴν πάτριον πολιτείαν, οἱ μὲν

ὑπὸ Κλεοφῶντος: this passage is cited by the scholiast on Aristophanes (*Frogs*, 1532), ὡς Ἀριστοτέλης φησί, μετὰ τὴν ἐν Ἀργινούσαις ναυμαχίᾳν Λακεδαιμονίων θουλομένων ἐκ Δεκελείας ἀπέιναι ἐφ' οἷς ἔχουσιν ἐκάτεροι καὶ εἰρήνην ἀγειν, ἐπὶ τοῦ Καλλίου, Κλεοφῶν ἐπεισε τὸν δῆμον μὴ προσδέξασθαι ἐλθὼν εἰς τὴν ἐκκλησίαν μεθύων καὶ θώρακα ἐνδεδυκώς, οὐ φάσκων ἐπιτρέψειν ἐὰν μὴ πάσας ἀφῶσι τὰς πόλεις οἱ Λακεδαιμόνιοι (Rose, *Frag.* 370). Grote doubts the truth of this application for peace by the Lacedaemonians, believing the story to be a confusion with the proposals which Diodorus states to have been made after the battle of Cyzicus. But it is by no means improbable that the Lacedaemonians should have been willing to propose a peace after so severe a defeat as Arginusae,—a defeat irreparable except through the help of Persia, which they did not at the time possess; especially as peace on the terms proposed would leave Athens stripped of nearly the whole of her maritime empire. Neither Xenophon nor Diodorus mentions any negotiations at this time; but Xenophon does not mention any after Cyzicus either. Grote suspected the scholiast to have mis-quoted Aristotle, but the case is altered by the discovery of the complete text of the latter; and if there is any confusion as to the real date of the Lacedaemonian proposals, it is more likely to be on the part of Diodorus than of Aristotle.

ἐπ' Ἀλεξίοις ἄρχοντος: 405-404 B.C.

τὴν πάτριον πολιτείαν: this was a sufficiently vague term, indicating generally the constitution of Solon; but as the virtue of the constitution depended on its working, it was possible for moderate democrats, extreme oligarchs, and moderate aristocrats alike to hope that it would be modelled according to their views. Diodorus (XIV. 3) describes the arguments of the opposing parties at some length, and says that the point was decided by Lysander declaring for an oligarchy.

δημοτικοὶ διασώσειν ἐπειρώντο τὸν δῆμον, τῶν δὲ γυνωρίμων οἱ μὲν ἐν ταῖς ἔταιρείαις ὅντες καὶ τῶν φυγάδων οἱ μετὰ τὴν εἰρήνην κατελθόντες ὀλιγαρχίαν ἐπεθύμουν, οἱ δὲ ἐν ἔταιρείᾳ μὲν οὐδεμίᾳ συγκαθεστῶτες [ἄ]λλως δὲ δοκοῦντες οὐδενὸς ἐπιλείπεσθαι τῶν πολιτῶν τὴν πάτριον πολιτείαν ἔζήτουν· διν ἦν μὲν καὶ Ἀρχῖνος καὶ Ανυτος καὶ Κλειτοφῶν καὶ Φορμίσιος καὶ ἔτεροι πολλοί, προειστήκει δὲ μάλιστα Θηραμένης. Λυσάνδρου δὲ προσθεμένου τοῖς ὀλιγαρχικοῖς καταπλαγεὶς ὁ δῆμος ἡναγκάσθη χειροτονεῖν τὴν ὀλιγαρχίαν. ἔγραψε δὲ τὸ ψήφισμα Δρακοντίδης Ἀφιδναῖος.

35. Οἱ μὲν οὖν τριάκοντα τοῦτον τὸν τρόπον κατέστησαν ἐπὶ Πυθοδώρου ἄρχοντος. γενόμενοι δὲ κύριοι τῆς πόλεως τὰ μὲν ἄλλα τὰ δόξαντα περὶ τῆς πολιτείας παρεώρων, πεντακοσίους δὲ βουλευτὰς καὶ τὰς ἄλλας ἄρχας καταστήσαντες ἐκ προκρίτων ἐκ τῶν χιλίων, καὶ προσελόμενοι σφισὶν αὐτοῖς τοῦ

διασώσειν: so corrected by the reviser from διασώζειν.

Ἀρχῖνος: subsequently one of the exiles who joined Thrasybulus in his occupation of Phyle (Demosth. *contr. Timocr.* p. 742); cf. ch. 40. Ανυτος (MS. Ανυτος) was another of the same number (Xen. *Hell.* II. 3. 44). Cleitophon (MS. Κλειτοφῶν) may be the same as the person of that name mentioned in connection with the establishment of the Four Hundred.

Δρακοντίδης: Dracontides is mentioned by Aristophanes (*Wasps*, 157), where the scholiast refers to the present passage of Aristotle (Rose, *Frag.* 373). He was himself one of the Thirty (Xen. *Hell.* II. 3. 2).

35. κατέστησαν: MS. κατεστησε.

ἐπὶ Πυθοδώρου ἄρχοντος: the year 404-403 B.C.; but the name of Pythodorus was subsequently expunged from the records, and the year was known as the year of Anarchy.

ἐκ τῶν χιλίων: there is no other mention of a body of 1000, and it is possible that the phrase is merely epexegetic of ἐκ προκρίτων, indicating that a list of 1000 persons was at first drawn up from which the 500 members of the council were finally selected.

Πειραιέως ἄρχοντας δέκα καὶ τοῦ δεσμωτηρίου φύλακας ἔνδεκα καὶ μαστιγοφόρους τρια[κ]οσίους ὑπηρέτας κατεῖχον τὴν πόλιν δι' ἑαυτῶν. τὸ μὲν οὖν πρῶτον μέτριοι τοῖς πολίταις [ἢ]σα[ν] καὶ προσεποιοῦντο διοικεῖν τὴν πάτριον πο[λιτ]είαν, καὶ τούς τ' Ἐφιάλτου καὶ Ἀρχεστράτου νόμους τοὺς περὶ τῶν Ἀρεοπαγιτῶν καθεῖλον ἐξ Ἀρείου [πάγου] καὶ τῶν Σόλωνος θεσμῶν ὅσοι διαμφισθητ[ήσ]εις εἶχον, καὶ τὸ κύρος δὲ ἦν ἐν τοῖς δικάσταις κ[ατέ]λυσαν, ὡς ἐπανορθοῦντες καὶ ποιοῦντ[ει]ς ἀναμφισθητον τὴν πολιτείαν, οἰο[ν] περὶ τοῦ δοῦναι τὰ ἑαυτοῦ ω̄ ἀν ἐθέλη κύριον ποιήσαντες καθάπαξ,

[Col. 16.]

καὶ Ἀρχεστράτου : there appears to be no mention elsewhere of these laws affecting the Areopagus, but probably Archestratus was one of the supporters of Ephialtes and some of the laws curtailing the power of the Areopagus stood in his name.

διαμφισθητος : MS. διαμφιζθητος, but this substitution of ζ for σ is paralleled immediately below, where the MS. has αναμφιζητος.

τὸ κύρος δὲ ἦν ἐν τοῖς δικάσταις : this has been mentioned above (ch. 9) as the foundation of the whole power of the democracy, and it is therefore natural that it should be one of the first things abolished by the oligarchy.

περὶ τοῦ δοῦναι τὰ ἑαυτοῦ κ.τ.λ. : the law of Solon relative to testamentary dispositions made it lawful for a man who had no legitimate children to dispose of his property in whatever way he chose, provided that he was of sound mind at the time and was not subject to undue influence. It is mentioned by Plutarch (*Sol.* 21) and is repeatedly referred to by the orators (*e.g.* Demosthenes in *Lept.* p. 488, *contr. Olymp.* p. 1183; Isaeus, *de Menel. hered.*, *passim*, *de Philoct. hered.* p. 57). The change introduced by the oligarchs simply consisted in abolishing the provisions against mental incapacity and undue influence, which, though reasonable enough in themselves, had been abused and had given rise to much *συκοφαντία*. An instance of this may be found in the case of the will of Menecles on which Isaeus composed the speech mentioned above. It is clear that this is the meaning of the sentence, and not that the oligarchs removed all restrictions on testamentary dispositions *except* those relating to mental incapacity and undue influence, partly because Aristotle could not speak of so revolutionary a change in the law of property as merely

τὰς δὲ προσούσας δυσκολίας, ἐὰν μὴ μανιῶν ἡ γηρῶν ἡ γυναικὶ πιθόμενος, ἀφεῖλον ὅπως μὴ ἡ τοῖς συκοφάνταις ἔφοδος· ὅμοίως δὲ τοῦτ' ἔδρων καὶ ἐπὶ τῶν ἄλλων. κατ' ἀρχὰς μὲν οὖν ταῦτ' ἐποίουν καὶ τοὺς συκοφάντας καὶ τοὺς τῷ δήμῳ πρὸς χάριν ὅμιλοῦντας παρὰ τὸ βέλτιστον καὶ κακοπράγμονας ὄντας καὶ πονηροὺς ἀνήρουν, ἐφ' οἷς ἔχαιρον ἡ πόλις γιγνομένοις, ἡγούμενοι τοῦ βελτίστου χάριν ποιεῦν αὐτούς. ἐπεὶ δὲ τὴν πόλιν ἐγκρατέστερον ἔσχον, οὐδενὸς ἀπείχοντο τῶν πολιτῶν, ἀλλ' ἀπέκτειναν τοὺς καὶ ταῖς οὐσίαις καὶ τῷ γένει καὶ τοῖς ἀξιώμασιν προέχοντας, ὑπεξαιρούμενοί τε τὸν φόβον καὶ βουλόμενοι τὰς οὐσίας διαρπάζειν· καὶ χρόνου διαπεσόντος βραχέος οὐκ ἐλάττους ἀνηρήκεσαν ἡ χιλίους πεντακοσίους.

36. Οὗτως δὲ τῆς πόλεως ὑποφερομένης Θηραμένης ἀγανακτῶν ἐπὶ τοῖς γινομένοις τῆς μὲν ἀσελγείας αὐτοῖς παρήνει παύσασθαι, μεταδοῦναι δὲ τῶν πραγμάτων τοῖς βελτίστοις. οἱ δὲ πρῶτον ἐναντιωθέντες, ἐπεὶ διεσπάρησαν οἱ λόγοι πρὸς τὸ πλῆθος καὶ πρὸς τὸν Θηραμένην οἰκείως εἶχον οἱ πολλοί, φοβηθέντες μὴ προστάτης γενόμενος τοῦ δήμου καταλύσῃ τὴν δυναστείαν καταλέγουσιν τῶν

an amendment to remove certain difficulties or obscurities, and partly because it does not appear how such an alteration would have limited the opportunities of the συκοφάντης. The law which required a man who had legitimate children to leave the bulk of his property among them remained intact; and it is clear from the allusions in the orators that even the amendment which the oligarchs actually introduced was repealed when the democracy was re-established.

ὑπεξαιρούμενοί τε τὸν φόβον: *i.e.* removing their own apprehensions, by destroying those whom they had most reason to fear.

36. πρῶτον: MS. πρωτοί.

πολιτῶν δισχιλίους ὡς μεταδόσοντες τῆς πολιτείας. Θήραμένης δὲ πάλιν ἐπιτιμᾷ καὶ τούτοις, πρῶτον μὲν ὅτι βουλόμενοι μεταδοῦναι τοῖς ἐπιεικέσι τρισ-χιλίοις μόνοις μεταδιδόσι, ὡς ἐν τούτῳ τῷ πλήθει τῆς ἀρετῆς ὡρισμένης, ἔπειθ' ὅτι δύο τὰ ἐναντιώτατα ποιοῦσιν, βίαιον τε τὴν ἀρχὴν καὶ τῶν ἀρχομένων ἥττω κατασκευάζοντες. οἱ δὲ τούτων μὲν ὀλιγώρη-σαν, τὸν δὲ κατάλογον τῶν τρισχιλίων πολὺν μὲν χρόνον ὑπερεβάλλοντο καὶ παρ' αὐτοῖς ἐφύλαττον τοὺς ἐγνωσμένους, ὅτε δὲ καὶ δόξειεν αὐτοῖς ἐκφέρειν τοὺς μὲν ἐξήλειφον τῶν γεγραμμένων, τοὺς δ' ἀντενέγραφον τῶν ἐξωθεν.

37. ^{τοῦ} Ἡδη δὲ τοῦ χειμῶνος ἐνεστῶτος, καταλα-βόντος Θρασυβούλου μετὰ τῶν φυγάδων Φυλήν, καὶ κατὰ τὴν στρατιὰν ἦν ἐξήγαγον οἱ τριάκοντα κακῶς ἀποχωρήσαντες, ἐγνωσαν τῶν μὲν ἄλλων τὰ

δισχιλίους: so the MS., but this must be a mere clerical blunder for **τρισχιλίους**, unless we are to consider the 2000 an addition to the body of 1000 named in ch. 35. That, however, is hardly probable, as Aristotle would almost certainly have explained it if it had been the case, instead of immediately going on to speak of the force as 3000 in number.

πρῶτον μὲν κ.τ.λ.: cf. Xen. *Hell.* II. 3. 19, which contains the sub-stance of the same criticisms and almost the same words. The latter part is indeed an almost verbal quotation from Theramenes, whose words are given by Xenophon, δρῶ ἔγωγε δύο ἡμᾶς τὰ ἐναντιώτατα πράττοντας, βίαλαν τε τὴν ἀρχὴν καὶ ἥττονα τῶν ἀρχομένων κατασκευάζομένους. The last word confirms the reading **κατασκευάζοντες** here, which is the correction of the reviser for the **μετασκευάζοντες** of the scribe.

37. **ἐγνωσαν** κ.τ.λ.: this somewhat alters the order of events as we gather it from Xenophon. The latter first narrates the disarming of the people and the execution of Theramenes, and then says that after this (*ἐκ δὲ τούτου*, II. 4. 2) Thrasybulus made his descent on Phyle. According to Aristotle the disarmament and the execution of Theramenes were in consequence of the advance and first success of Thrasybulus. There is time in the chronology of the period for either order of events; the only difference is that we must allow a

ὅπλα παρελέσθαι, Θηραμένην δὲ διαφθεῖραι τόνδε τρόπον. νόμους εἰσήγεγκαν εἰς τὴν Βουλὴν δύο κελεύοντες ἐπιχειροτονεῖν, διν ὁ μὲν εἰς αὐτοκράτορας [Col. 17.] ἐποίει τοὺς τριάκοντα τῶν πολιτῶν ἀποκτεῖναι τοὺς μὴ τοῦ καταλόγου μετέχοντας τῶν τρισχιλίων, ὁ δὲ ἔτερος ἐκώλυε κοινωνεῖν τῆς παρούσης πολιτείας ὅσοι τυγχάνουσιν τὸ ἐν Ἡετιωνείᾳ τεῖχος κατασκάψαντες ἢ τοῖς τετρακοσίοις ἐναντίον τι πράξαντες ἢ τοῖς κατασκεύσασι τὴν προτέραν ὀλιγαρχίαν. δ[ν]

longer time for the stay of Thrasylus at Phyle than is usually given in the histories. In this there is, however, no difficulty, especially as we know that the forces of the exiles grew from seventy to 1000 before they began their march from Phyle to Athens. They probably remained for two or three of the winter months at Phyle and then advanced. The date of the occupation of Munychia can be fixed within narrow limits from the speech of Cleocritus the herald after the fight in which Critias was killed (Xen. *Hell.* II. 4. 21), where he says that the Thirty had killed in eight months almost more than the Peloponnesians in ten years. Athens surrendered on the 16th of Munychion (April), and the Thirty were probably established about the beginning of the following month. Eight full months would bring us to Gamelion (January), about which point we may place the defeat of the Thirty at Munychia by Thrasylus. The government of the Ten, which followed, and the intervention of the Spartans occupied several months more, and the democracy was restored about the following August, after sixteen months intermission.

παρελέσθαι: MS. παρεσθαι, and an ε has been written in correction above the first ι, the λ being accidentally omitted.

νόμους εἰσήγεγκαν κ.τ.λ.: as to the first of these two laws Aristotle agrees with Xenophon (*Hell.* II. 3. 51), but as to the second the two accounts differ fundamentally. If Aristotle is right as to the passing of the second law, the well-known dramatic scene depicted by Xenophon must disappear. At best it can only be supposed that Critias, instead of striking out the name of Theramenes from the list of the 3000, proposed the second law as described by Aristotle and forced it down the throat of the council by threat of armed force. This is possible, as the law is in itself so obviously aimed at Theramenes that it is difficult to suppose that he would have remained in Athens after seeing that it was likely to be passed; but if it is the case the narrative of Xenophon will require so many alterations in detail as to show that it is largely imaginary.

έτυγχανεν ἀμφοτέρων κεκοινώνηκώς ὁ Θηραμένης, ὥστε συνέβαινεν ἐπικυρωθέντων τῶν νόμων ἔξω τε γίγνεσθαι τῆς πολιτείας αὐτὸν καὶ τοὺς τριάκοντα κυρίους εἶναι θανατοῦντας. ἀναιρεθέντος δὲ Θηραμένους τά τε ὅπλα παρείλοντο πάντων πλὴν τῶν τρισχιλίων, καὶ ἐν τοῖς ἄλλοις πολὺ πρὸς ὡμότητα καὶ πονηρίαν ἐπέδροσαν. πρέσβεις πέμψαντες εἰς Λακεδαιμονα τοῦ τε Θηραμένους κατηγόρουν καὶ βοηθεῖν αὐτοῖς ἡξίουν· ὃν ἀκούσαντες οἱ Λακεδαιμόνιοι Καλλίβιον ἀπέστειλαν ἀρμοστὴν καὶ στρατιώτας ὡς ἐπτακοσίους, οἱ τὴν ἀκρόπολιν ἐλθόντες ἐφρούρουν.

38. Μετὰ δὲ ταῦτα καταλαβόντων τῶν ἀπὸ Φυλῆς τὴν Μουνυχίαν καὶ νικησάντων μάχῃ τοὺς μετὰ τῶν τριάκοντα βοηθήσαντας, ἐπαναχωρήσαντες μετὰ τὸ[ν] κίνδυνον οἱ ἐκ τοῦ ἀστεως καὶ συναθροισθέντες εἰς τὴν ἀγορὰν τῇ ὑστεραίᾳ τοὺς μὲν τριάκοντα κατέλυσαν, αἱροῦνται δὲ δέκα τῶν πολιτῶν αὐτοκράτορας ἐπὶ τὴν [τοῦ πο]λέμου κατάλυσιν. οἱ δὲ παραλα-

τὰ ὅπλα παρείλοντο: Xenophon (II. 3. 20) represents this as having taken place before the death of Theramenes.

Καλλίβιον ἀπέστειλαν: this is in very marked contradiction to Xenophon, who places the sending of a Spartan garrison quite early in the rule of the Thirty. In this point Xenophon's account (with which Diodorus agrees, XIV. 4) seems more probable than that of Aristotle, as it would hardly have been possible for the Thirty to have carried on their Reign of Terror without an armed force at their backs, whereas Aristotle represents it as having occurred while the whole body of Athenians was still in possession of weapons.

38. συναθροισθέντες: apparently written *συνασποροισθέντες* in the MS.
οἱ δὲ παραλαβόντες κ.τ.λ.: Aristotle gives a fuller account than Xenophon of the proceedings of the Ten, which makes it easy to understand why they were eventually excluded from the amnesty (see ch. 39). As a matter of fact their rule extended over nearly half the total time occupied by the anarchy. Lysias (*contr. Eratosth.* cc.

βόντες τὴν ἀρχὴν ἐν οἷς μὲν ἥρεθησαν οὐκ ἔπραττον, ἐ[πρέσβευ]σ[αν] δὲ εἰς Λακεδαιμονα βοήθειαν μεταπε[μπόμ]ενοι καὶ χρήματα δανειζόμενοι. χαλεπῶς δὲ [φε]ρόντων ἐπὶ τούτοις τῶν ἐν τῇ πολιτείᾳ, φο[βούμεν]οι μὴ καταλυθῶσιν τῆς ἀρχῆς καὶ βουλόμενοι μὲν κατ[απλῆξ]αι τοὺς ἄλλους (οἶπερ ἐγένετο), συλλαβόντες . . . ημάρετον οὐδενὸς ὅντα δεύτερον τῶν πολιτῶν ἀπέκτειναν, καὶ τὰ πράγματα βεβαίως εἶχον, συναγωνιζόμενον Καλλιβίου τε καὶ τῶν Πελοποννησίων τῶν παρόντων καὶ πρὸς τού[τοι]ς ἐνίων τῶν ἐν τοῖς ἵππευσι τούτων γάρ τινες μάλιστα τῶν πολιτῶν ἐσπούδαζον μὴ κατελθεῖν τοὺς ἀπὸ Φυλῆς. ὡς δὲ οἱ τὸν Πειραιέα καὶ τὴν Μουνυχίαν ἔχοντες ἀποστάντος παντὸς τοῦ δήμου πρὸς αὐτὴν ἐπεκράτουν τῷ πολέμῳ, τότε καταλύσαντες τοὺς δέκα τοὺς πρώτους αἰρεθέντας, ἄλλους εἶλοντο δέκα τοὺς βελτίστους εἶναι δοκοῦντας, ἐφ' ὧν συνέβη καὶ τὰς διάλυσεις γενέσθαι καὶ κατελθεῖν τὸν δῆ- [Col. 18.] μον, συναγωνιζόμενων καὶ προθυμουμένων τούτων. προειστήκεσαν δὲ αὐτῶν μάλιστα 'Ρίνων τε ὁ

55-62) describes their proceedings in terms which fully confirm Aristotle, but he does not mention the second board of Ten which eventually put an end to the civil war (see below).

ἐν οἷς : it may be suspected that the preposition should be ἐφ'.

δανειζόμενοι : MS. δανιζόμενοι. δανίζω is a later form of δανείζω, and recurs twice in ch. 52 ; but the older spelling is preserved earlier in the MS., in chapters 6, 9, and 16.

καταλυθῶσι . . . βουλόμενοι : these words are written twice over in the MS. through inadvertence, but the repetition has been cancelled.

ἄλλους εἶλοντο δέκα : Xenophon makes no mention of this second board of Ten, who were apparently members of the moderate aristocratical party.

'Ρίνων : this person is mentioned incidentally by Isocrates (*contr. Callim.* c. 7, p. 372) as εἰς τῶν δέκα γενόμενος, but Isocrates clearly

Παιανιεὺς καὶ Φάϋλλος ὁ Ἀχέρδους ὑιός οὗτοι γὰρ πρὶν ἡ Παυσανίαν τ' ἀφικέσθαι διεπέμ[ποντ]ο πρὸς τοὺς ἐν Πειραιεῖ, καὶ ἀφικομένου συνεσπούδασαν τὴν κάθοδον. ἐπὶ πέρας γὰρ ἥγαγε τὴν εἰρήνην καὶ τὰς διαλύσεις Παυσανίας ὁ τῶν Λακεδαιμονίων βασιλεὺς μετὰ τῶν δέκα δ[ιαλ]λακτῶν τῶν. ὕστερον ἀφικομένων ἐκ Λακεδαιμονος, οὓς αὐτὸς ἐσπούδασεν ἐλθεῖν. οἱ δὲ πε[ρὶ] τὸν Ρίνωνα διά τε τὴν εὔνοιαν τὴν εἰς τὸν δ[ῆμον] ἐπηγέθησαν, καὶ λαβόντες τὴν ἐπιμέλειαν ἐν ὀλιγαρχίᾳ τὰς εὐθύνας ἔδοσαν τῇ δημοκρατίᾳ, καὶ οὐδεὶς ἐνεκάλεσε[ν αὐ]τοὺς οὔτε τῶν ἐν ἀστει μεινάντων οὔτε τῶν ἐκ Πειραιέως κατελθόντων, ἀλλὰ διὰ ταῦτα καὶ στρατηγὸς εὐθὺς ἥρεθη Ρίνων.

39. Ἐγένοντο δὲ αἱ διαλύσεις ἐπ' Εὐκλειδοῦς ἄρχοντος κατὰ τὰς συνθήκας τάσδε. τοὺς βουλομένους τῶν Ἀθηναίων ἐν ἀστει μεινάντων ἔξοικειν ἔχειν Ἐλευσῖνα ἐπίτιμους ὄντας καὶ κυρίους καὶ αὐτοκράτορας ἐ[πὶ πᾶσ]ιν καὶ τὰ αὐτῶν καρπουμένους. τὸ δὲ ιερὸν εἴναι κοινὸν ἀμφοτέρων, ἐπιμελεῖσθαι δὲ Κήρυκας καὶ Εύμολπίδας κατὰ τὰ πάτρια. μὴ ἔξειναι δὲ μήτε τοῖς Ἐλευσινόθεν εἰς τὸ ἀστυ μήτε τοῖς ἐκ τοῦ ἀστεως Ἐλευσίναδε ιέναι πλὴν μυστηρίοις ἐκατέρους. συντελεῖν δὲ ἀπὸ τῶν

knows of only one board of Ten, as he refers to them just before as the successors of the Thirty (ἥρχον μὲν γὰρ οἱ δέκα οἱ μετὰ τοὺς τριάκοντα καταστάντες).

ἀφικομένου: MS. αφικομενους.

τῶν δέκα διαλλακτῶν: Xenophon (*Hell.* II. 4. 38) gives the number of Spartan commissioners as fifteen.

39. ἐπ' Εὐκλειδοῦς ἄρχοντος: i. e. late in the summer of 403 B.C.

πλήν: MS. πριν, a mistake also made elsewhere.

προσιόντων εἰς τὸ συμμαχικὸν καθάπερ τοὺς ἄλλους Ἀθηναίους. ἐὰν δέ τινες τῶν ἀπιόντων οἰκίαν λαμβάνωσιν Ἐλευσῖνι, συμπείθειν τὸν κεκτημένον ἐὰν δὲ μὴ συμβαίνωσιν ἀλλήλοις τιμητὰς ἐλέσθαι τρεῖς ἐκατέρων, καὶ ἥντιν ἀν οὗτοι τάξωσι τίμην λαμβάνειν. Ἐλευσινίων θὲ συνοικεῖν οὓς ἀν οὗτοι βούλωνται. τὴν δὲ ἀπογραφὴν εἶναι τοῖς βουλομένοις ἔξοικεῖν, τοῖς μὲν ἐπιδῆμοῖς οὓς ἀν ὀμόσωσιν τοὺς ὄρκους δὶς [ἔπτ]α ἡμερῶν, τὴν δὲ ἔξοικησιν εἴκοσι, τοῖς δὲ ἀποδημοῦσιν ἐπειδὴν ἐπιδημήσωσιν κατὰ ταῦτα. μὴ ἔξειναι δὲ ἀρχεῖν μηδεμίαν ἀρχὴν τῶν ἐν τῷ ἀστεῖ τὸν Ἐλευσῖνι κατοικοῦντα πρὶν ἀπογράφηται πάλιν ἐν τῷ ἀστεῖ κατοικεῖν. τὰς δὲ δίκας τοῦ φόνου εἶναι κατὰ τὰ [Col. 19.] πάτρια, εἴ τις τινα αὐτοχειρὶ *(ἀπέκτονεν)* ἐκτίσει ἱερώσας. τῶν δὲ παρεληλυθότων μηδενὶ πρὸς μηδένα μνησικακεῖν ἔξειναι, πλὴν πρὸς τοὺς τριάκοντα καὶ τοὺς δέκα καὶ τοὺς ἑνδεκα καὶ τοὺς τοῦ Πειραιέως ἄρξαντας, μηδὲ πρὸς τούτους ἐὰν δίδωσιν εὐθύνας. εὐθύνας δὲ δοῦναι τοὺς μὲν ἐν Πειραιεῖ ἄρξαντας ἐν τοῖς ἐν Πειραιεῖ, τοὺς δὲ ἐν τῷ ἀστεῖ

βουλωνται: MS. βουλονται.

ὸμόσωσιν: MS. ομωσωσιν.

φόνου: corrected in the MS. from πονου, which of course was a mere blunder of the transcriber.

αὐτοχειρὶ: MS. αυτοχειρα.

ἀπέκτονεν: omitted in MS., but this or some similar word must be supplied.

καὶ τοὺς δέκα: Xenophon (*Hell.* II. 4. 38) does not name the Ten among the persons excluded from the amnesty, mentioning only the Thirty, the Eleven, and the Ten who had ruled in Piraeus. It is probably some confusion between the latter body and the successors of the Thirty in Athens that has caused the omission in Xenophon's list.

ἐν τοῖς τὰ τιμήματα παρεχομένοις. εἰθ' οὖτως ἔξοικεῖν τοὺς ἔθελοντας. τὰ δὲ χρήματα ἀ ἐδανείσαντο εἰς τὸν πόλεμον ἑκατέρους ἀποδοῦναι χωρίς.

40. Γενομένων δὲ τοιούτων τῶν διαλύσεων, καὶ φοβουμένων ὅσοι μετὰ τῶν τριάκοντα συνεπολέμησαν, καὶ πόλλων μὲν ἐπινοούντων ἔξοικεῖν ἀναβαλλομένων δὲ τὴν ἀναγραφὴν εἰς τὰς ἐσχάτας ἡμέρας, ὅπερ εἰώθασιν ποιεῖν ἄπαντες, Ἀρχῖνος συνιδὼν τὸ πλῆθος καὶ βουλόμενος κατασχεῖν αὐτοὺς ὑφεῖλε τὰς ὑπολοίπους ἡμέρας τῆς ἀπογραφῆς, ὅπτε συναναγκασθῆναι μένειν πολλοὺς ἄκοντας ἔως

ἐν τοῖς τὰ τιμήματα παρεχομένοις: this is the reading of the MS., but it appears to be corrupt. In the first place it seems necessary to insert ἐν τῷ δόσται after τοῖς; the omission of the phrase is easily explained by its occurrence almost immediately before. Whether further emendation is necessary depends on the sense given to τὰ τιμήματα παρεχομένοις. If τίμημα be taken in the sense of 'rateable valuation,' it may mean that the magistrates of Piraeus were to give account for all proceedings relating to persons or things rated in Piraeus, and the magistrates of the city for persons or things rated in the city. This gives a fair sense, but it is not clear how the εἴθινα could in all cases be regulated according to a rateable valuation. On the other hand τίμημα may be taken in the sense of 'compensation' or 'penalty,' in which case παρεχομένοις must be altered to παρεχομένους, the sentence meaning that the magistrates of Piraeus were to suffer penalties (in case of any default being found) for matters done in Piraeus, and the magistrates of the city similarly for affairs within the city.

εἰθ' οὖτως: this refers to the whole of the terms which have just been set forth as regulating the retirement to Eleusis of those who so desired.

τοὺς ἔθελοντας: the MS. inserts a δέ after τούς unnecessarily.

40. Ἀρχῖνος: this particular action of Archinus is not recorded elsewhere, but emphatic testimony is borne to his character by the orators. Isocrates (*contr. Callim.* c. 3, p. 371) speaks of a law of his to prevent συκοφαντία after the amnesty, of which his prosecution of a breach of the amnesty mentioned below appears to be the corollary; and Aeschines (*contr. Ctes.* p. 82) mentions him as having prosecuted Thrasybulus for an illegal proposition to crown one of his friends. He is also said by Suidas to have been the person who advised the adoption of the Ionic alphabet in public documents in the archonship of Euclides.

έθάρρησαν. καὶ δοκεῖ τοῦτό τε πολιτεύσασθαι καλῶς Ἀρχῖνος, καὶ μετὰ ταῦτα γραψάμενος τὸ ψήφισμα τὸ Θρασυβούλου παρανόμων, ἐν ᾧ μετεδίδου τῆς πολιτείας πᾶσι τοῖς ἐκ Πειραιέως συκατελθοῦσι, διν ἔνιοι φανερῶς ἥσαν δοῦλοι· καὶ τρίτον ἐπεί τις ἥρξατο τῶν κατεληλυθότων μνησικακεῖν, ἀπαγαγὼν τοῦτον ἐπὶ τὴν βουλὴν καὶ πείσας ἄκριτον ἀποκτεῖναι, λέγων ὅτι μῦν δείξουσιν εἰ βούλονται τὴν δημοκρατίαν σώζειν καὶ τοῖς ὄρκοις ἐμμένειν· ἀφέντας μὲν γὰρ τοῦτον προτρέψειν καὶ τοὺς ἄλλους, ἐὰν δ' ἀνέλωσιν παραδεῖγμα ποιήσειν ἀπασιν. ὅπερ καὶ συνέπεσεν· ἀποθανόντος γὰρ οὐδεὶς πώποτε ὕστερον ἐμνησικάκησεν. ἀμα δοκοῦσι κάλλιστα δὴ καὶ πολιτικώτατα ἀπάντων καρδίᾳ καὶ κοινῇ χρήσασθαι ταῖς προγεγενημέναις συμφοραῖς· οὐ γὰρ μόνον τὰς περὶ τῶν προτέρων αἰτίας ἐξήλειψαν ἀλλὰ καὶ τὰ χρήματα Λακεδαιμονίοις, ἢ οἱ τριάκοντα πρὸς τὸν πόλεμον ἔλαβον, ἀπέδοσαν κοινῇ, κελευούσων τῶν συνθηκῶν ἐκατέρους ἀποδιδόναι χωρὶς τούς τ' ἐκ τοῦ ἄστεως καὶ τοὺς ἐκ τοῦ Πειραιέως, ἥγουμενοι τοῦτο πρώτον ἄρχειν μὲν τῆς ὁμονοίας, ἐν δὲ ταῖς ἄλλαις πόλεσιν οὐχ οἶν ἔτι προστιθέασιν τῶν οἰκείων οἱ δημοκρατήσαντες, ἀλλὰ

ἀστεως: the first two letters of this word are written twice by inadvertence, at the end of one line and at the beginning of the following one.

μέν: MS. δεν. The form of the second branch of the sentence is changed, for instead of continuing with another infinitive dependent on ἥγουμενοι a finite verb, *προστιθέασιν*, is substituted.

προστιθέασιν τῶν οἰκείων: i. e. not only did they not make any superfluous contributions to public ends out of their own pockets, but on the contrary they made a redistribution of the property of the defeated oligarchs among themselves,

[Col. 20.] καὶ τὴν χώραν ἀνάδαστον ποιοῦσιν. * διελύθησαν δὲ καὶ πρὸς τοὺς ἐν Ἐλευσῖνι [έξοι]κήσαντας ἔτει τρίτῳ μετὰ τὴν ἔξοικησιν, ἐπὶ [Ξεναι]νέτου ἄρχοντος.

41. Ταῦτα μὲν οὖν ἐν τοῖς ὕστε[ρο]ν συνέβη γενέσθαι καιροῖς, τότε δὲ κύριος ὁ δῆμος γενόμενος τῶν πραγμάτων ἐνεστήσατο τὴν [νῦν] οὖσαν πολιτείαν, ἐπὶ Πυθοδώρου μὲν ἄρχοντος, [δ]οκοῦντος δὲ δικαίως τοῦ δήμου λαβεῖν τὴν [έξουσί]αν διὰ τὸ ποιήσασθαι τὴν κάθοδον δι' αὐτὸν τὸν δῆμον. ἦν δὲ τῶν μεταβολῶν ἐνδεκάτη τὸ[ν ἀρι]θμὸν αὐτή. πρώτη μὲν γὰρ ἐγένετο [ἢ κ]ατάστασις τῶν ἔξ αρχῆς *Ιωνος καὶ τῶν μετ' αὐτοῦ συνοικισάντων τότε γὰρ πρῶτον εἰς τὰς τέτταρας συνενεμήθησαν

ἔτει τρίτῳ : 401 B.C. Xenophon (*Hell.* II. 4. 43) says merely ὕστερη χρόνῳ, and the final overthrow of the Thirty at Eleusis has been generally supposed to have followed within a few months after the re-establishment of the democracy.

41. ἐπὶ Πυθοδώρου : Aristotle has already stated (ch. 39) that the convention by which the democracy was restored took place in the year of Eucleides, and this certainly seems to have been the case. The Piraeus was no doubt re-occupied in the archonship of Pythodorus, but nothing was done towards re-establishing the democratic constitution till the following year, and the archonship of Eucleides was always taken as the date of the regeneration of Athens.

δοκοῦντος δὲ κ.τ.λ. : as the text stands, the only sense to be extracted from the passage is that the subsequent extension of the democracy (which is enlarged on below) was justified by the fact of its having secured its own re-establishment, without the open help of any other nation, and in the face of the opposition of a powerful party at Sparta. It may, however, be doubted whether the text is not corrupt. The repetition of δήμον . . . δῆμον is awkward and unnatural, and it is possible that the former word has taken the place of a proper name by a scribe's error; in which case the mutilated word given in the text as ἔξουσίαν should perhaps be altered to προστασίαν, and αὐτόν would be read instead of αὐτόν. If this is correct, the name to be substituted for δῆμον would presumably be that of Thrasybulus,

φυλὰς καὶ τοὺς φυλοβασιλεῖς κατέστησαν. δευτέρα δὲ καὶ πρώτη μετὰ ταῦτα [ἐξ]έχουσα πολιτείας τάξις ή ἐπὶ Θησέως γενομένη, μικρὸν παρεγκλίνουσα τῆς βασιλικῆς. μετὰ δὲ ταύτην ή ἐπὶ Δράκοντος, ἐν ᾧ καὶ νόμους ἀνέγραψαν πρῶτον. τρίτη δὲ ή μετὰ τὴν στάσιν ή ἐπὶ Σόλωνος, ἀφ' ἣς ἀρχὴ δημοκρατίας ἐγένετο. τετάρτη δὲ ή ἐπὶ Πισιστράτου τυραννίσ. πέμπτη δὲ ή μετὰ (τὴν) τῶν τυράννων κατάλυσιν ή Κλεισθένους, δημοτικωτέρα τῆς Σόλωνος. ἕκτη δὲ ή μετὰ τὰ Μηδικά, τῆς ἐξ Ἀρείου πάγου βουλῆς ἐπιστατούσης. ἑβδόμη δὲ καὶ μετὰ ταύτην ἦν Ἀριστείδης μὲν ὑπέδειξεν, Ἐφιάλτης δὲ ἐπετέλεσεν καταλύσας τὴν Ἀρεοπαγῆτιν βουλήν.

δευτέρα δὲ καὶ πρώτη: the enumeration of the eleven *μεταβολαί* begins here, the constitution of Ion being taken as the original establishment and not a *μεταβολή*.

πολιτείας τάξις: MS. πολιτειαν ταξιν, for which some emendation is clearly necessary.

μικρὸν παρεγκλίνουσα τῆς βασιλικῆς: Aristotle's fuller account of Theseus is lost with the beginning of the MS., but Plutarch refers to him as saying that Theseus was the first to turn towards the people (*Thes.* 25, πρῶτος ἀπέκλινε πρὸς τὸν ὄχλον, ὡς Ἀριστοτέλης φησί, Rose, *Frag.* 346).

ἦν Ἀριστείδης μὲν ὑπέδειξεν: Aristides is mentioned as sketching out the lines which Ephialtes followed, because he initiated the process of admitting the lower orders to a share in political life, which Ephialtes carried to a further stage by the overthrow of the aristocratic stronghold in the Areopagus. It is noticeable that Aristides is named and not Themistocles, and that wherever he is mentioned in this work the view taken of him is as more of a democratic reformer than is usual in modern histories. In point of fact Aristides is far more important a person in reference to *constitutional* history than Themistocles. No constitutional alteration is ascribed to the latter except a share (subordinate, and for purely personal reasons) in the attack on the Areopagus, whereas Aristides certainly did something to give effect to the development of the democracy which was made inevitable by the Persian wars.

Ἐφιάλτης δὲ ἐπετέλεσεν: it is remarkable that Aristotle regards Ephialtes, and not Pericles, as the founder of the thorough-going

ἐν ἣ πλεῖστα συνέβη την πόλιν διὰ τὸν δημαγώγους ἀμαρτάνειν διὰ τὴν τῆς θαλάττης ἀρχήν. ὁγδόη δὲ [ἥ] τῶν τετρακοσίων κατάστασις, καὶ μετὰ ταύτην ἐνάτη δὲ [δῆ]μοκρατία πάλιν. δεκάτη δὲ ἡ τῶν τριάκοντα καὶ ἡ τῶν δέκα τυραννίς. ἐνδεκάτη δὲ ἡ μετὰ τὴν ἀπὸ Φυλῆς καὶ ἐκ Πειραιέως κάθοδον, ἀφ' ἣς διαγεγένηται μεχρὶ τῆς νῦν ἀεὶ προσεπιλαμβάνουσα τῷ πλήθει τὴν ἔξουσίαν. ἀπάντων γὰρ αὐτὸς αὐτὸν πεποίηκεν ὁ δῆμος κύριον καὶ πάντα διοικεῖται ψηφίσμασιν καὶ δικαστηρίοις, ἐν οἷς ὁ δῆμός ἐστιν ὁ κρατῶν· καὶ γὰρ αἱ τῆς βουλῆς κρίσεις εἰς τὸν δῆμον ἐληλύθασιν. καὶ τοῦτο δοκοῦσι ποιεῖν ὄρθως· εὐδιαφθορώτεροι γὰρ ὀλίγοι τῶν πολλῶν εἰσὶν καὶ κέρδει καὶ χάρισιν. μισθόφορον δὲ ἐκκλησίαν τὸ μὲν πρώτον ἀπέγνωσαν ποιεῖν· οὐ συλλεγομένων δὲ εἰς τὴν ἐκκλησίαν, ἀλλὰ πολλὰ ψηφιζομένων τῶν πρυτανέων, ὅπως [Col. 21.] προσίστηται τὸ πλήθος πρὸς τὴν ἐπικύρωσιν τῆς

democracy of Athens. Pericles is not here named, and his reforms in the direction of extending the powers of the law-courts, and the institution of pay for service in them, are apparently classed with the other attempts of the demagogues to bid for the popular support by a free use of the public funds; while his naval policy (which is a characteristic expressly ascribed to him in ch. 27) is held to be the great cause of the fall of Athens. Aristotle unquestionably did not hold the high opinion of Pericles which has been accepted in modern times, mainly, no doubt, on the strong testimony of Thucydides.

τὴν πόλιν: the third hand begins here. It is not so set as the second hand, but much larger and more straggling than the first; and it contains several blunders.

θαλάττης: MS. θαλαττῆς.

ὁγδόη δ': MS. ογδοην.

κατάστασις: MS. καταστασιν, and after the syllable *κα* a superfluous repetition of the letters *τασ* has been erased.

ὀλίγοι: MS. ολιγον.

χειροτονίας, πρῶτον μὲν Ἀγύρριος ὁβολὸν ἐπόρισεν, μετὰ δὲ τοῦτον Ἡρακλείδης ὁ Κλαζομένιος ὁ βασιλεὺς ἐπικαλούμενος διώβολον, πάλιν δ' Ἀγύρριος τριώβολον.

42. Ἐχει δὲ ή νῦν κατάστασις τῆς πολιτείας τόνδε τὸν τρόπον. μετέχουσιν μὲν τῆς πολιτείας οἱ ἔξ ἀμφοτέρων γεγονότες ἀστῶν. ἐγγράφον[ται] δὲ εἰς τοὺς δημότας ὀκτωκαίδεκα ἔτη γεγονότες· ὅταν δὲ γράφωνται διαψηφίζονται περὶ αὐτῶν ὁμόσαντες

Ἀγύρριος : Agyrrhius flourished in the early part of the fourth century and was *στρατηγός* in 389 B.C. It is clear from Aristophanes that the payment for attendance at the Ecclesia had been raised to three obols shortly before the performance of the Ecclesiazusae in 392 B.C. ; and as the original establishment of the payment was the work of the same person who raised it to three obols, it is clear that it cannot have taken place much, if at all, before the end of the fifth century. Boeckh therefore is wrong in supposing that the payment of one obol began either in the latter part of the government of Pericles or soon afterwards, and also that the payment rose at once from one to three obols, without passing through the intermediate stage of two obols. The two obol payment, however, probably lasted only a very short time, and the point is not of importance except that Boeckh uses the supposed fact that the payment for the Ecclesia was never two obols, as an argument that the payment of the judges likewise rose at once from one to three obols.

Ἡρακλείδης ὁ Κλαζομένιος : nothing seems to be known of this person.

42. Ἐχει δὲ ή νῦν κατάστασις : here the second part of the treatise may be said to begin. The first part is a sketch of the constitutional history of Athens ; the second is a description of the various details of the constitution as ultimately developed, and is mainly occupied with an enumeration of the several magistracies in existence and an account of their respective duties. This portion of the work has been a quarry from which the many ancient compilers of lexicons have drawn their materials. Pollux, Harpocration, Suidas, Hesychius, Photius, and several others embody a large number of fragments, sometimes with acknowledgment and sometimes without, of this part of Aristotle's treatise, and in many cases they enable us to supply gaps which have been caused by the unfortunately mutilated condition of the MS.

οκτωκαίδεκα ἔτη : corrected in the MS. from *οκτωκαίδεκατετες*.

διαψηφίζονται : this passage is referred to by the scholiast on

οἱ δημόται, πρῶτον μὲν εἰ δοκοῦσι γέγονέναι τὴν ἡλικίαν τὴν ἐκ τοῦ νόμου, κανὶ μὴ δόξωσι ἀπέρχονται πάλιν εἰς παῖδα[ς, δ]εύτερον δὲ εἰ ἐλεύθερος ἔστι καὶ γέγονε κατὰ [το]ὺς νόμους. ἔπειτ’ ἀν μὲν ἐπιψηφίσωνται μὴ εἶναι ἐλεύθερον, ὁ μὲν ἐφίησιν εἰς τὸ δικαστήριον, οἱ δὲ δημόται κατηγόρους αἱροῦνται πέντε [ἄν]δρας ἔξ αὐτῶν, κανὶ μὲν μὴ δόξῃ δι[καί]ως ἐγγράφ[εσ]θαι πωλεῖ τοῦτον ἡ πόλις. ἐὰν δὲ νικήσῃ τοῖς [δη]μόταις ἐπαναγκὲς ἐγγράφεται. μετὰ δὲ ταῦτα δοκιμάζει τοὺς ἐγγραφέντας ἡ βουλή, καν τις δόξ[η ν]εώτερος ὀκτωκαΐδεκα ἑτῶν εἶναι ζημιοῖ [τοὺς] δημότας τοὺς ἐγγράψαντας. ἐπὰν δὲ δοκιμα[σθ]ῶσιν οἱ ἐφῆβοι, συλλεγέντες οἱ πατέρες αὐτῶν [εἰ]ς τὰς φυλὰς ὁμόσαντες αἱροῦνται τρεῖς ἐκ τῶν φυλετῶν τῶν ὑπὲρ τετταράκοντα ἔτη γεγονότων οὓς ἀν ἡγῶνται βελτίστους εἶναι καὶ ἐπιτηδειοτάτους ἐπιμελεῖσθαι τῶν ἐφήβων, ἐκ δὲ τούτων ὁ δῆμος ἔνα τῆ[ς φ]υλῆς ἐκάστης χειροτονεῖ σωφρονιστὴν καὶ [ἐπιμ]ελητὴν ἐκ τῶν ἄλλων Ἀθηναίων ἐπὶ πάντα. σ[υλ]λαβόντες δὲ οὗτοι τοὺς ἐφήβους, πρῶτον μὲν τὰ ιερὰ περιῆλθον, εἶτ’ εἰς Πειραιέα πορεύονται καὶ φρουροῦσιν οἱ μὲν τὴν Μουνυχίαν οἱ δὲ τὴν ἀκτήν, χειρο[τονεῖ] δὲ καὶ παιδοτρίβας αὐτοῖς δύο καὶ διδασκάλους, [οἵ]τινες ὀπλομαχεῖν καὶ τοξεύειν καὶ ἀκοντίζειν κ[αὶ] καταπέλτην ἀφιέναι διδάσκουσιν. δίδωσι δὲ καὶ εἰς τρο[φὴν] τοῖς μὲν σωφρονισταῖς

Aristophanes' *Wasps* 578, 'Αριστοτέλης δέ φησιν ὅτι ψήφῳ οἱ ἐγγραφόν μενοὶ δοκιμάζονται, νεώτεροι μὴ ἐτῶν ἡ εἰλεν (Rose, *Frag.* 427). The scholiast proceeds, Ισως δ' ἀν περὶ τῶν κρινομένων παιδῶν εἰς τοὺς γυμνικοὺς ἀγῶνας λέγει· οὐχ ὡς ἐν δικαστήριῳ κρινομένων ἀλλ' ὑπὸ τῶν πρεσβυτέρων: but here the subject of λέγει must be Aristophanes, not Aristotle.

δραχμὴν μίαν ἑκάστῳ, τοῖς δὲ ἐφῆβοις τέτταρας ὄβολοὺς ἑκάστῳ τὰ δὲ τῶν φυλετῶν τῶν αὐτοῦ λαμβάνων ὁ σωφρονιστὴς ἑκαστος ἀγοράζει τὰ ἐπιτήδεια πᾶσιν εἰς τὸ κοινόν (συσσιτοῦσι γὰρ κατὰ φυλάς), καὶ τῶν ἄλλων ἐπιμελεῖται πάντων. καὶ τὸν μὲν πρῶτον ἐνιαυτὸν οὕτως ἔξαγουσι τὸν δὲ [ῦ]στερον, ἐκκλησίας ἐν τῷ θεάτρῳ γινομένης, ἀποδειξάμενοι τῷ δήμῳ τὰ περὶ τὰς τάξεις καὶ λαβόντες [Col. 22.] ἀσπίδα καὶ δόρυ παρὰ τῆς πόλεως περιπολοῦσι τὴν χώραν καὶ διατρίβουσιν ἐν τοῖς φυλακτηρίοις. φρουροῦσι δὲ τὰ δύο ἔτη, χλαμύδας ἔχοντες, καὶ ἀτελεῖς εἰσὶ πάντων καὶ δι[κη]ν οὕτ[ε] διδόσιν οὕτε λαμβάνουσιν ἵνα μὴ πράγμασι συμμιγεῖεν τι, σπλὴν περὶ κλήρου καὶ ἐπικλή[ρου], καν τινι

δραχμὴν μίαν: this sum is not written in words in the MS., but in the common symbol (a. The same sum is also named as the pay of the Sophronistae in Lex. Seg. p. 301, and Photius (s. v. σωφρονισταί). Cf. Boeckh (P. E. II. 16).

ἐπιμελεῖται: MS. ἐπιμεληται.

ἐκκλησίας . . . φυλακτηρίοις: this passage is quoted by Harpocration (s. v. περίπολος) as from Aristotle's 'Αθηναίων πολιτεία (Rose, *Frag.* 428). Harpocration, however, continues, παρατηρητέον οὖν ὅτι δὲ μὲν Ἀριστοτέλης ἔνα φῆσιν ἐνιαυτὸν ἐν τοῖς περιπόλοις γίγνεσθαι τοὺς ἐφῆβους, δὲ δὲ Αἰσχίνης δύο· καὶ τάχα διὰ τοῦτο ἐπεμήσθη τοῦ πράγματος ὁ ἥρτωρ, καίπερ πάντων τῶν ἐφῆβων ἐξ ἀνάγκης περιπολούντων, ὅτι αὐτὸς δύο ἔτη γέγονεν ἐν τοῖς περιπόλοις· διὸ καὶ μαρτυρῶν ἐδήλωσεν αὐτός. Harpocration's mistake probably arose from taking τὸν δὲ ὕστερον (for which he reads τὸν δεύτερον ἐνιαυτόν) as expressing the whole duration of the service of the περίπολοι; and he either overlooked or had not before him the continuation of the passage, which shows that Aristotle was in perfect agreement with Aeschines (*De Fals. Leg.* p. 50).

τῆς πόλεως: Harpocration has τοῦ δήμου.

χλαμύδας: the chlamys was the distinctive garment of the ephebi, and is often referred to as such; e.g. the epitaph of Meleager on a youth whom his mother ὀκτωκαθεκέταν ἐστόλισεν χλαμύδι (Αντ. Παλ. VII. 468). Cf. Liddell and Scott, s. v.

πράγμασι συμμιγεῖν: the reading is doubtful, especially of the second word, the letters being badly formed.

κατὰ τὸ γένος ἱερωσύνη γένηται. διεξελθόντων δὲ τῶν δυεῦν ἔτων ἥδη μετὰ τῶν ἄλλων εἰσίν. τὰ μὲν οὖν περὶ τὴν τῶν πολιτῶν ἐγγραφὴν καὶ τοὺς ἐφήβους τοῦτον ἔχει τὸν τρόπον.

43. Τὰς δ' ἀρχὰς τὰς περὶ τὴν ἐγκύκλιον διοίκησιν ἀπάσας ποιοῦσι κληρωτάς, πλὴν ταμίου στρατιωτικῶν καὶ τῶν ἐπὶ τῶν θεωρικῶν καὶ τοῦ τῶν κρηνῶν ἐπιμελητοῦ. ταύτας δὲ χειροτονοῦσιν, καὶ οἱ χειροτονηθέντες ἀρχουσιν ἐκ Παναθηναίων εἰς Παναθήναια. χειροτονοῦσι δὲ καὶ τὰς πρὸς τὸν πόλεμον ἀπάσας. βουλὴ δὲ κληροῦται φ, ὃ ἀπὸ φυλῆς ἐκάστης. πρυτανεύει δὲ ἐν μέρει τῶν φυλῶν ἐκάστη καθ' ὃ τι ἀν λάχωσιν, αἱ μὲν πρώται τέτ-

ἱερωσύνη: M.S. *ἱεροσυνη*.

43. κληρωτάς: M.S. *πληρωτας*.

τοῦ τῶν κρηνῶν ἐπιμελητοῦ: this title does not occur elsewhere, but is presumably identical with that of ἐπιστάτης ὑδάτων, which Plutarch mentions as having been held by Themistocles (*Them.* 31). Pollux (VIII. 112) speaks of a *κρηνοφυλάκιον ἀρχή*, but does not say whether it consisted of a single officer or of a board. Athens was very scantily supplied with fresh water, and therefore the superintendence of the aqueducts and reservoirs was a matter of great importance, which could not be entrusted to an officer appointed by lot. Photius and Hesychius mention *κρηνοφύλακες*, who were probably the subordinates of the *κρηνῶν ἐπιμελητής*.

ἀρχουσιν ἐκ Παναθηναίων: the Panathenaic festival was at the end of Hecatombaion, the first month of the Attic year. The magistrates elected by lot presumably came into office on the first of that month. The archons certainly did so; as appears, for instance, from Antiphon *De Choreut.* p. 146.

πρυτανεύει κ.τ.λ.: Harpocration (s. v. *πρυτανεία*), after stating the number of days in each prytany, adds, διείλεκται δὲ περὶ τούτων Ἀριστοτέλης ἐν τῇ Ἀθηναίων πολιτείᾳ. The scholiast to Plato's *Laws* (p. 459) appears to have drawn from this passage of Aristotle, and he uses almost the exact phrase, κατὰ σελίγην γάρ ἀγονσι τὸν ἐνιαυτόν, which occurs below. Cf. Rose, *Frag.* 393.

αἱ μὲν πρώται κ.τ.λ.: this statement as to the number of days in each prytany is repeated by Photius, but it is at variance with an in-

ταρες ἔξ καὶ ἡ ημέρας ἑκάστη, αἱ δὲ ἃ αἱ ὕστεραι πέντε καὶ ἡ ημέρας ἑκάστη· κατὰ σελήνην γὰρ ἄγουσιν τὸν ἐνιαυτόν. οἱ δὲ πρυτανεύοντες αὐτῶν πρῶτον μὲν συσσιτοῦσιν ἐν τῇ θόλῳ, λαμβάνοντες ἀργύριον παρὰ τῆς πόλεως, ἔπειτα συνάγουσιν εἰς τὴν βουλὴν καὶ τὸν δῆμον· τὴν μὲν οὖν βουλὴν ὁσημέραι, πλὴν ἔαν τις ἀφέσιμος ἦ, τὸν δὲ δῆμον τετράκις τῆς πρυτανείας ἑκάστης. καὶ ὅσ[α] δεῖ χρηματίζειν τὴν βουλήν, καὶ ὅ τι ἐν ἑκάστη τῇ ημέρᾳ, καὶ ὅ τι οὐ καθήκει οὗτοι προγράφουσι. προγράφουσι

scription quoted by Clinton (*Fast. Hell.* II. 345) which contains an account of moneys expended in the archonship of Glaucippus (410 B.C.); for there is explicit mention made there of a thirty-sixth day in the eighth, ninth, and tenth prytanies, which would show that at that date the last four prytanies, and not the first four, were the longest. The statement of Aristotle is, however, equally explicit, and it only remains to conclude that a change was made at some time between 410 B.C. and the middle of the following century, of which Aristotle is speaking.

συνάγουσιν . . ἑκάστης: Harpocration (*s. v. κυρία ἑκλησία*) quotes this passage, naming the 'Αθηναίων πολιτεία as his authority (Rose, *Frag.* 395). Pollux (VIII. 95, 96) gives a summary of the rest of the chapter and the beginning of the next, generally using Aristotle's words, though without naming him as his authority (*Frag.* 394).

τὴν μὲν οὖν: Harpocration omits *οὖν*, which certainly does not seem to be wanted.

ὅσημέραι: MS. apparently *οσαι ημέραι*, but there does not seem to be classical authority for the phrase.

ἔαν: MS. *εναν*.

χρηματίζειν: MS. *χρηματίζειν*.

καθήκει: the fourth and fifth letters are doubtful. If the reading is correct, the meaning is 'what subjects are not suitable.'

προγράφουσι δὲ κ.τ.λ.: Harpocration, after the passage quoted just above (*cf.* note on συνάγουσιν κ.τ.λ.) proceeds προγράφουσι δέ, φησί, καὶ κυρίαν ἑκλησίαν, ἐν ᾧ δεῖ τὰς ἀρχὰς ἀποχειροτονεῖν οἱ δοκοῦσι μὴ καλῶς ἄρχειν, καὶ περὶ φυλακῆς δὲ τῆς χάρας· καὶ τὰς εἰσαγγελίας ἐν ταύτῃ τῇ ημέρᾳ τοὺς βουλομένους ποιεῖσθαι φησί καὶ τὰ ἔξης, which is a slightly paraphrased version of the present passage (Rose, *Frag.* 395). The Lex. rhet. Cantabrig. also refers to Aristotle, *s. v. κυρία ἑκλησία*, and quotes the greater part of this passage, including the mention of the ὁστρακοφορία below (Rose, *Frag.* 396).

δὲ καὶ τὰς ἐκκλησίας οὗτοι, μίαν μὲν κυρίαν, ἐν
ἥδει τὰς ἀρχὰς ἐπιχειροτονεῖν εἰ δοκοῦσι καλῶς
ἀρχειν, καὶ περὶ σίτου καὶ περὶ φυλακῆς τῆς χώρας
χρηματίζειν, καὶ τὰς εἰσαγγελίας ἐν ταύτῃ τῇ ἡμέρᾳ
τοὺς βουλομένους ποιεῖσθαι, καὶ τὰς ἀπογραφὰς τῶν
δημευομένων ἀναγινώσκειν, καὶ τὰς λήξεις τῶν κλή-
ρων καὶ τῶν ἐπικλήρων ἀναγινώσκειν, [ὅπω]ς μηδένα
λάθη μηδὲν ἐρῆμον γενόμενον. ἐπὶ [δὲ] τῆς ἔκτης
πρυτανείας πρὸς τοῖς εἰρημένοις καὶ περὶ τῆς ὀστρακο-
φορίας ἐπιχειροτονίαν διδόσαιν εἰ δοκεῖ ποιεῖν ἡ μή,
καὶ συκοφαντῶν προβολὰς τῶν Ἀθηναίων καὶ τῶν με-
τοίκων μέχρι τριῶν ἑκατέρων, ἐάν τι]ς ὑποσχόμενός
τι μὴ ποιήσῃ τῷ δῆμῳ. ἐτέραν δὲ ταῖς ἰκετηρίαις,
ἐν ἥθεις ὁ βουλόμενος ἰκετηρίαν ἀν βούληται
[Col. 23.] καὶ ἴδιων καὶ δημοσίων διαλέξεται πρὸς τὸν δῆμον.

καὶ τῶν ἐπικλήρων: omitted in the Lex. rhet. Cantabrig., which also does not give the words which follow, as far as γενόμενον inclusive.

εἰρημένοις: MS. ηρημένοις.

ἐπιχειροτονῶν: the Lex. rhet. Cantabrig. gives προχειροτονίαν.

διδόσαιν: or possibly δίδωσιν.

συκοφαντῶν προβολάς: this form of procedure against συκοφάνται is mentioned by Aeschines (*De Fals. Leg.* p. 47), τῶν συκοφαντῶν ὡς κακούργων δημοσίᾳ προβολὰς ποιούμεθα, and Pollux (VIII. 46), προβολαὶ δὲ ἡσαν καὶ αἱ τῆς συκοφαντίας γραφαὶ. No mention, however, seems to be made anywhere of the limitation here described of the number of such complaints that could be heard at one sitting of the ecclesia. Cf. Schömann *De comitiis Atheniensium*, p. 232 seq.

τι μή: the reading is a little uncertain. The original scribe appears to have written εἴμαι, and in place of this the corrector has written either τι μη or τι μη. The former is, however, probably in any case the true reading of the passage. *

δ βουλόμενος: MS. ον βουλομενος. The paraphrase of the present passage given by Pollux (VIII. 96) runs, ἡ δὲ δευτέρα ἐκκλησία ἀνέται τοῖς βουλομένοις, ἰκετηρίαν θεμένοις, λέγειν ἀδεῶς περὶ τῶν ἴδιων καὶ τῶν δημοσίων.

διαλέξεται: MS. διαδεξεται.

αἱ δὲ δύο περὶ τῶν ἄλλων εἰσίν, ἐν αἷς κελεύοντιν οἱ νόμοι τρία μὲν ἱερῶν χρηματίζειν, τρία δὲ κηρύξιν καὶ πρεσβείας, τρία δὲ ὄστιν. χρηματίζοντιν δὲ ἐνίστε καὶ ἄνευ πρόχειροτονίας. προσέρχονται δὲ καὶ οἱ κήρυκες καὶ οἱ πρέσβεις τοῖς πρυτάνεσιν πρῶτον, καὶ οἱ τὰς ἐπιστολὰς φέροντες τούτοις ἀποδιδόσι.

44. Ἐστι δὲ ἐπιστάτης τῶν πρυτάνεων εἰς ὁ λαχών· οὗτος δὲ ἐπιστατεῖ νύκτα καὶ ἡμέραν, καὶ οὐκ ἔστιν οὔτε πλείω χρόνον οὔτε δὶς τὸν αὐτὸν γενέσθαι. τηρεῖ δὲ οὗτος τὰς τε κλῆσις τὰς τῶν ἱερῶν ἐν οἷς τὰ χρήματα ἔστιν καὶ γράμματα τῇ πόλει, καὶ τὴν δημοσίαν σφραγίδα, καὶ μένειν ἀνάγκαιον ἐν τῇ θόλῳ τοῦτον ἔστιν καὶ τριτὸν τῶν πρυτάνεων ἦν ἀν· οὗτος κελεύῃ. καὶ ἐπειδὴν συναγάγωσιν οἱ πρυτάνεις τὴν βουλὴν ἡ τὸν δῆμον οὗτος κληροῖ

αἱ δὲ δύο κ.τ.λ. : according to Pollux (*l. c.*) the third ecclesia in each prytany was assigned to the hearing of heralds and embassies, and the fourth to *ἱερὰ καὶ ὅσια*.

τρία μὲν κ.τ.λ. : there is nothing in any other author to explain this passage, but it may be interpreted by comparison with the μέχρι τριῶν ἔκατέρων above. Apparently only three motions or proposals with reference to each of these subjects were allowed in each prytany. The second *τρία* is a correction in the MS., the scribe having originally written *τρισὶ*, being misled, no doubt, by the dative which follows.

τρία δὲ ὄστιν : over these words is written in the MS. the extraordinary correction *συρακοσιῶν*. The corrector must have understood this to go with *πρεσβείας*, but, even apart from the parallel passage in Pollux, common sense would show that it is impossible. Either the corrector mis-read the MS. from which the present copy was taken, or he was correcting from a different one, into which this corruption of *τρία δὲ ὄστιν* had crept.

44. ἐπιστάτης : Harpocration (*s. v.*) says, δύο εἰσὶν οἱ καθιστάμενοι ἐπιστάται, δὲ μὲν ἐκ πρυτάνεων κληρούμενος, δὲ ἐκ τῶν προέδρων, δὲ ἔκάτερος τίνα διοίκησιν διοικεῖ δεδήλωκεν δὲ Ἀριστοτέλης ἐν Ἀθηναίων πολιτείᾳ. Suidas (*s. v.* ἐπιστάτης) and Eustathius (*in Odyss. XVII. 455*) give summaries of the present chapter, mostly in Aristotle's words, but without mentioning him. Cf. Rose, *Frag.* 397.

προέδρους ἐννέα, ἕνα ἐκ τῆς φυλῆς ἐκάστης πλὴν

προέδρους: Harpocration (*s. v.*) refers to this passage, but misquotes its purport. He says, ἐκληρούντο τῶν πρυτάνεων καθ' ἐκάστην πρυτανείαν, εἰς ἕξ ἐκάστης φυλῆς πλὴν τῆς πρυτανεούσης, οἵτινες τὰ περὶ τὰς ἐκάλησίας διώκουν. ἐκλούντο δὲ πρόεδροι, ἐπειδή περ πρόχρεν τῶν πλλων ἀπάντων . . διτὶ δ' ὁ καλούμενος ἐπιστάτης κληροὶ αὐτούς, ἐρηκεν Ἀριστοτέλης ἐν Ἀθηναίων πολιτείᾳ (Rose, *Frag.* 398). His error is in stating that the proedri were elected for the prytany, whereas Aristotle (who is correctly followed by Pollux and Photius) says that they were appointed afresh for each meeting of the Council or Ecclesia. The position of the proedri has been a subject of much discussion (*cf.* Schömann, *De Com. Ath.* 83 F-90 G), a considerable difficulty being raised by the second argument to Demosthenes in *Androt.* This document states that the πρυτανεύοντα φυλή was divided into five sections of ten each, which executed the functions of the prytanes for seven days apiece, and that the section on duty was known as *πρόεδροι*. This appears to introduce a second kind of proedri, who were members of the πρυτανεύοντα φυλή and held office for seven days, whereas Aristotle and the grammarians that follow him speak of proedri who were members of every tribe *except* the πρυτανεύοντα and held office for one meeting of the Council or Ecclesia only. Schömann's view, which has been generally followed, is that it was the proedri of the πρυτανεύοντα φυλή who presided at the meetings of the Council and Ecclesia, and that the representatives of the other tribes only sat with them as a check on their action and to prevent jobbery in favour of the tribe in office. This involves rejecting the authority of the grammarians, which might be admissible so long as they stood alone, but which becomes a very different matter now that we have the testimony of Aristotle behind them ; and the question demands reconsideration.

The strength of Schömann's argument lies in his references to the speech of Nicias in Thuc. VI. 14; in which the Prytanis is expressly addressed as having the duty of putting a question to the vote in the Ecclesia, and to the case of the generals after Arginusae, when Socrates refused to put to the vote the proposal to try them collectively. In the latter case Socrates (or Plato for him) represents himself as a member of the πρυτανεύοντα φυλή (Plat. *Apol.* p. 32), and Xenophon (*Mem.* I. 1. 18) calls him ἐπιστάτης. Thucydides, Plato, and Xenophon are contemporary authorities, and their evidence is perfectly clear ; and it must be taken as established that in the fifth century the prytanes presided over the meetings of the Ecclesia (and probably therefore of the Council too) ; but there is no sign of any division into sections of ten, nor is the title of proedri applied to them. When we pass to the fourth century the situation is changed. The proedri are repeatedly mentioned in the orators as the officials who put questions

τῆς πρυτανευούσης, καὶ πάλιν ἐκ τούτων ἐπιστάτην

to the vote and otherwise acted as presidents, but the evidence that they were identical with a section of the *prytanes* rests on a conjectural emendation of a psephism quoted in Demosth. *De Cor.* (p. 235), which, if correct, would show that the tribe to which Demosthenes belonged was the *πρυτανεύοντα φυλή* at a time at which he is stated in the speech of Aeschines *in Ctes.* to have been a *πρόεδρος* (Schömann, p. 92 F). This, however, is much too weak a ground on which to contradict Aristotle, to say nothing of the numerous cases in which psephisms contain the names of proedri of tribes other than the *πρυτανεύοντα φυλή*. These are admitted by Schömann, but their evidence is rejected as being of late date and insufficient to refute Thucydides, Plato, and Xenophon; which is true as regards the usage of the fifth century, but does not touch the evidence for the fourth, as to which the weight of authority is the other way.

The question may be pushed further. Were there ever any proedri of the *πρυτανεύοντα φυλή* at all? No authority ever notices the existence of two classes of proedri. The grammarians (following Aristotle) mention one class, the unknown author of an argument to a speech of Demosthenes mentions another. The orators use the term frequently, but in no case (if we reject the emendation of the passage in Demosthenes spoken of above) need it apply to members of the *πρυτανεύοντα φυλή*. It is highly improbable *a priori* that there should be two boards of somewhat similar but distinct natures known by the same name; and the solitary authority which necessitates such a supposition (the argument to Demosth. *in Androt.*) is not one to which much weight can be attached. It is certain that the writer of it makes a gross mistake in stating that all elections were held on the last four days of the year; it is probable that he has made another mistake as to the proedri. Whether the division of the fifty *prytanes* into sections of ten ever existed may be doubtful; but it may be taken for certain that they were never called proedri. In the fifth century the *prytanes*, under their *ἐπιστάτης*, presided at the Council and Ecclesia; in the fourth the proedri were instituted, appointed on each occasion from the other nine tribes, and the presidential duties were transferred to them and their *ἐπιστάτης*. Passages in which the *prytanes* are spoken of in connection with the business of the Ecclesia (Schömann, 89, 90 F) are to be explained by observing that it was they that drew up the programme of business for each meeting, which they handed to the proedri for execution. A final proof that they did not themselves preside may be seen in the fact that the *ἐπιστάτης* of the *prytanes*, together with one-third of his colleagues, was forbidden to leave the Tholus during his day of office, and therefore could not have appeared in the Ecclesia. The *prytanes* had considerable administrative duties, notably the preparation of business to be submitted to the

‘*ἔνα, καὶ παραδίδωσι τὸ πρόγραμμα αὐτοῖς*’ οἱ δὲ παράλαβόντες τῆς τ’ εὐκοσμίας ἐπιμελοῦνται, καὶ ὑπὲρ ὃν δεῖ χρηματίζειν προτιθέασιν, καὶ τὰς χειροτονίας κρίνουσιν, καὶ τὰ ἄλλα πάντα διοικοῦσιν· καὶ τοῦ τ’ ἀφεῖναι κύριοι εἰσιν. καὶ ἐπιστατῆσαι μὲν οὐκ ἔξεστιν πλεῖον ἢ ἄπαξ ἐν τῷ ἐνιαυτῷ, προεδρεύειν δ’ ἔξεστιν ἄπαξ ἐπὶ τῆς πρυτανείας ἑκάστης. ποιοῦσι δὲ καὶ δεκαρχαιρεσίας στρατηγῶν καὶ ἵππάρχων καὶ τῶν ἄλλων τῶν πρὸς τὸν πόλεμον ἀρχῶν ἐν τῇ ἑκκλησίᾳ, καθ’ ὃ τι ἀν τῷ δῆμῳ δοκῆ· ποιοῦσι δ’ οἱ μετὰ τὴν ἑπτανεύοντες ἐφ’ ὃν ἀν

Ecclesia; but with the actual management of meetings they had, in the fourth century, nothing to do.

πρόγραμμα: Suidas reads *πρᾶγμα*, but the present reading is clearly superior, and the corruption is easily intelligible. The *πρόγραμμα* is of course the order of business which was to come before the Ecclesia.

προτιθέασιν: the corrector has written above the line the words *δει καὶ*, which are apparently intended to be inserted before *προτιθέασιν*; but *δεῖ* has occurred already in the text, and *καὶ* is incompatible with the construction. The insertion must have been due to a misunderstanding of the passage.

δεκαρχαιρεσίας: the word does not occur elsewhere, but its meaning plainly is an election of a board of ten, such as those which are here enumerated.

οἱ μετὰ τὴν ἑπτανεύοντες: the MS. has *οἱ μετὰ τὰ τὴν ἑπτανεύοντες*, but the *τὰ* must be a repetition of the last syllable of the preposition. This statement as to the date of the election of the strategi is new. It has long been recognised that the author of the argument to Demosthenes in *Androt.* is wrong in saying that all elections took place in the last four days of the year (cf. Schömann, *De Com. Ath.* pp. 322–326); but nothing positive has been known on the subject. It has been conjectured (e.g. by Köhler, *Monatsber. d. Akad. d. Wissenschaften zu Berlin*, 1866, p. 343) that the *ἀρχαιρεσία* took place in the ninth prytany; but the present passage shows that it was in the first prytany after the sixth in which the omens were favourable. The fact that the date consequently varied in different years may account for the otherwise rather remarkable silence on the part of all ancient authorities on the subject.

εύσημία γένηται. δεῖ δὲ προβούλευμα γενέσθαι καὶ περὶ τούτων.

45. Ἡ δὲ βουλὴ πρότερον μὲν ἦν κυρία καὶ χρήμασιν ζημιώσαι καὶ δῆσαι καὶ ἀποκτεῖναι. καὶ Λυσίμαχον αὐτῆς ἀγαγούσης ὡς τὸν δῆμον καθημένον ἦδη μέλλοντα ἀποθυήσκειν Εύμηλείδης ὁ Ἀλωπεκῆθεν ἀφείλετο, οὐ φάσκων δεῖν ἄνευ δικαστηρίου γνώσεως οὐδένα τῶν πολιτῶν ἀποθυήσκειν· καὶ κρίσεως ἐν δικαστηρίῳ γενομένης ὁ μὲν Λυσίμαχος ἀπέφυγεν καὶ ἐπωνυμίαν εἶχεν ὁ ἀπὸ τοῦ τυπάνου, ὁ δὲ δῆμος ἀφείλετο τῆς βουλῆς τὸ θανατοῦν καὶ δεῖν καὶ χρήμασι ζημιοῦν, καὶ νόμον ἔθετο ἄν τινος ἀδικεῖν ἡ βουλὴ καταγνῶ ἡ ζημιώσῃ, τὰς καταγνώσεις καὶ τὰς ἐπιζημιώσεις εἰσάγειν τοὺς θεσμοθέτας εἰς τὸ δικαστήριον, καὶ ὁ τι ἀν οἱ δικαστὰι ψηφίσωνται τοῦτο κύριον εἶναι. κρίνει δὲ τὰς ἀρχὰς ἡ βουλὴ τὰς πλείστας, μάλισθ ὅσαι [Col. 24.] χρήματα διαχειρίζονται· οὐ κυρία δὲ κρίσις, ἀλλ' ἐφέσιμος εἰς τὸ δικαστήριον. ἔξεστι δὲ καὶ τοῖς ἰδιώταις εἰσαγγέλλειν ἥν ἀν βούλωνται τῶν ἀρχῶν

45. *βουλή*: this summary jurisdiction of the Council in early times does not seem to be mentioned elsewhere, nor yet the story which Aristotle relates of its suppression. Unfortunately it is impossible to date this incident exactly, as neither of the persons mentioned, Lysimachus and Eumeleides, is otherwise known. One person of the name of Lysimachus who might suit chronologically is the son of Aristides, who is mentioned by Plutarch (*Arist.* 27) and Demosthenes (*in Lept.* p. 491); another is the person who is mentioned in Xen. *Hell.* II. 4. 8 as a hipparch in the service of the Thirty. The latter may very probably be the person intended, as his share in the proceedings of the Thirty might easily bring him into trouble; but it was not an uncommon name, and we cannot be certain upon the subject.

Ἀλωπεκῆθεν: MS. αλωπεθηκεν.

μὴ χρῆσθαι τοῖς νόμοις ἔφεσις δὲ καὶ τούτοις ἔστιν εἰς τὸ δικαστήριον ἐὰν αὐτῶν ἡ βουλὴ καταγνῶ. δοκιμάζει δὲ καὶ τοὺς βουλευτὰς τοὺς τὸν ὕστερον ἐνιαυτὸν βουλεύσοντας καὶ τοὺς ἐννέα ἀρχοντας. καὶ πρότερον μὲν ἦν ἀποδοκιμάσαι κυρία, νῦν δὲ τούτοις ἔφεσις ἔστιν εἰς τὸ δικαστήριον. τούτων μὲν οὖν ἄκυρός ἔστιν ἡ βουλή. προβούλευει δὲ εἰς τὸν δῆμον, καὶ οὐκ ἔξεστιν οὐδὲν ἀπροβούλευτον οὐδὲ ὅ τι ἀν μὴ προγράψωσιν οἱ πρυτάνεις ψηφίσασθαι τῷ δῆμῳ κατ' αὐτὰ γὰρ ταῦτα ἔνοχός ἔστιν ὁ νίκησας γραφῆ παρανόμων.

46. Ἐπιμελεῖται δὲ καὶ τῶν πεποιημένων τριηρῶν καὶ τῶν σκευῶν καὶ τῶν νεωσοίκων, καὶ ποιεῖται κανὰς τριήρεις ἡ τετρήρεις, ὅποτέρας ἀν ὁ δῆμος χειροτονήσῃ, καὶ σκεύη ταύταις καὶ νεωσοίκους. χειροτονεῖ δὲ ἀρχιτέκτονας ὁ δῆμος ἐπὶ τὰς ναῦς· ἀν δὲ μὴ παραδῶσιν ἔξειργασμένα ταῦτα τῇ νεῷ βουλῇ, τὴν δωρεὰν οὐκ ἔστιν αὐτοῖς λαβεῖν. ἐπὶ [Col. 25.] γὰρ τῆς ὕστερον βουλῆς λαμβάνουσιν. ποιεῖται

ἀπροβούλευτον: M.S. *απροβούμντον*.

46. τῶν πεποιημένων τριηρῶν: the speech of Demosthenes against Androtron turns on the duty of the Council to superintend ship-building, and on the law, which Aristotle proceeds to mention, that unless this duty was fulfilled the Council was not to receive the customary donation (*δωρεά*) of a golden crown.

κανὰς τριήρεις: M.S. *κανὰς δε τριηρεις*. The word *κανὰς* has been at first miswritten, and is followed by a blot. Probably the scribe made a blunder, and the corrector omitted to cancel the *δε*.

παραδῶσιν: the subject of this would naturally be taken to be *οἱ ἀρχιτέκτονες*, but in the light of the speech of Demosthenes it appears that it is really meant to apply to the Council.

ποιεῖται δὲ κ.τ.λ.: here begins the third roll of the papyrus, written in what has been described as the fourth hand. The first column of this section of the papyrus is headed *γ τόμος*. This division of the papyrus has been mentioned and explained in the Introduction.

δὲ τὰς τριήρεις, δέκα ἄνδρας ἔξ [ἀπάντων] ἐλομένη τριηροποιούς. ἔξετάζει δὲ καὶ τὰ οἰκοδομήματα τὰ δημόσια πάντα, καν τις ἀδικεῖν αὐτῇ δόξῃ τῷ τε δήμῳ τοῦτον [ἀπ]οφαίνει καὶ καταγνοῦσα παραδίδωσι δικαστηρίῳ.

47. Συνδιοικεῖ δὲ καὶ ταῖς ἄλλαις ἀρχαῖς τὰ πλεῖστα. πρῶτον μὲν γὰρ οἱ ταμίαι τῆς Ἀθηνᾶς εἰσὶ μὲν δέκα κλ[ηρωτοί], εἰς ἐκ τῆς φυλῆς, ἐκ πεντακοσιομεδίμνων κατὰ τὸν Σόλωνος νόμ[ον]—ἔτι γὰρ ὁ ν]όμος κύριός ἐστιν—, ἄρχει δὲ ὁ λαχὼν καν πάνυ πένης ἦ. παραλαμβάνου[σι δὲ τό] τε ἄγαλμα τῆς Ἀθηνᾶς καὶ τὰς νίκας καὶ τὸν ἄλλον κόσμον καὶ τὰ χρ[ήματα]α ἐναντίου τῆς βουλῆς. ἔπειθ' οἱ πωληταὶ οἱ μέν εἰσι, κληροῦται δὲ εἰς ἐκ τῆς φ[υλῆς. μισ]-θοῦσι δὲ τὰ μισθώματα πάντα καὶ τὰ μέταλλα πωλοῦσι, καὶ τὰ τέλη [μετὰ τοῦ ταμίου τῶν στρατιω-

τριηροποιούς: Pollux (I. 84) mentions the names of these functionaries, and Demosthenes (*in Androt.* p. 598) refers to the *ταμίαι τῶν τριηροποιῶν*, and in such a way as to show that they were subordinate to the Council, ἀκούω δὲ αὐτὸν τοιούτον ἔρειν τινὰ ἐν ὑμῖν λόγον, ὡς οὐχ ἡ βουλὴ γέγονεν αἰτία τοῦ μὴ πεποιῆσθαι τὰς ναῦς, ἀλλ' δ τῶν τριηροποιῶν *ταμίαις* ἀποδρᾶς φέχει ἔχων πένθιμον ἡμιτάλαντα.

47. οἱ ταμίαι τῆς Ἀθηνᾶς: *cf.* note on ch. 30.

κατὰ τὸν Σόλωνος νόμον: *cf.* ch. 8.

ἄρχει δὲ δ λαχὼν καν πάνυ πένης ἦ: for a similar legal fiction compare ch. 7, *sud fin.*

παραλαμβάνουσι . . . βουλῆς: quoted by Harpocration *s. v. ταμίαι*, as from Aristotle's *Ἀθηναίων πολιτεία* (Rose, *Frag.* 402).

πωληταὶ: Harpocration refers to the *Ἀθηναίων πολιτεία* as containing an account of these officials, but his own description is not verbally taken from this source (Rose, *Frag.* 401). The description of Pollux (VIII. 99) has some points in common, but not all.

τοῦ ταμίου τῶν στρατιωτικῶν: this officer, together with the superintendents of the theorica who are here coupled with him, is considered by Boeckh (*P. E.* II. 7) to have been first appointed after the Peloponnesian war in substitution for the hellenotamiae, who are not mentioned

τικῶν καὶ τῶν ἐπὶ τὸ θεωρικὸν γρηγορέντων ἐναντίον τῆς βουλῆς] κατακυροῦσιν ὅτῳ ἀνὴρ βουλὴ χειροτονήσῃ· καὶ τὰ πραθέντα μέταλλα [ὅσα] ἐργάσιμα, τὰ εἰς τρία ἔτη πεπραμένα καὶ τὰ συγκεχωρημένα τὰ . . . πεπραμένα καὶ τὰς οὐσίας τῶν ἐξ Ἀρείου πάγου φευγόντων καὶ τῶν . . . [ἐναντίον τῆς βουλῆς πωλοῦσιν, κατακυροῦσι δὲ οἱ θέρητες· καὶ τὰ τέλη τὰ εἰς ἐνιαυτὸν] πεπραμένα ἀναγράφαντες εἰς λελευκωμένην γραμματεῖα τὸν τὰ πρ . . . ἀν πρίηται τῇ βουλῇ παραδιδόσιν. ἀναγράφουσιν δὲ χωρὶς μὲν οὖς δεῖ κατὰ πρυτανείαν ἐκάστην καταβάλλειν εἰς δέκα γραμματεῖα, χωρὶς δὲ οὖς τε[λοῦντος] ἐνιαυτοῦ, γραμματεῖον κατὰ τὴν καταβολὴν ἐκάστην ποιήσαντες, χωρὶς δὲ οὖς [ἐπὶ] τῆς ἐνάτης πρυτανείας. ἀναγράφουσι δὲ καὶ τὰ χωρία καὶ τὰς οἰκίας [τὰ μισθωθέντα καὶ πραθέντα ἐν τῷ δικαστηρίῳ· καὶ γὰρ ταῦθ' οὗτοι πωλοῦσιν] . . . τῶν μὲν οἰκιῶν ἐν ἐτεσιν ἀνάγκη τὴν τιμὴν ἀποδοῦναι, τῶν δὲ χωρίων ἐν δέκα· καταβάλλουσιν δὲ ταῦτα ἐπὶ τῆς ἐνάτης πρυτανείας ε . . . [κατακυροῖ δέ] καὶ ὁ βασιλεὺς τὰς μισθώσεις, τῶν μὲν *ων* ἀναγράψας ἐν γραμματείῳ ωμένοις. ἔστι δὲ καὶ τούτων ἡ μὲν μίσθωσις εἰς ἔτη δέκα, καταβάλλεται δὲ ἐπὶ τῆς [θερητοῦ] πρυτανείας· διὸ καὶ πλεῖστα χρήματα ἐπὶ ταύτης συλλέγεται τῆς πρυτανείας. εἰσφέρεται μὲν οὖν εἰς τὴν βουλὴν τὰ γραμματεῖα] τὰς καταβολὰς ἀναγεγραμμένα, τηρεῖ δὲ ὁ

after that period. Another duty of the same officer is mentioned in the following chapter of the present treatise, viz. a share in the management of the games at the Panathenaic festival.

δημόσιος· ὅταν δ' ἦ χρ[ημάτων καταβ]ολὴ παραδίδωσι τοῖς ἀποδέκταις αὐτὰ ταῦτα καθε· ἐπιστυλίων ὡν ἐν ταύτῃ τῇ ἡμέρᾳ τὰ χρήματα καταβλη[θέντα . . . ἀ]παλειφθῆναι· τὰ δ' ἄλλα ἀποκεῖται χωρὶς ἵνα μὴ προε· κα·

48. [Εἰσὶ] δ' ἀποδέκται δέκα, κεκληρωμένοι κατὰ φυλάς· οὗτοι δὲ παραλαβόντες τὰ [γρα]μματεῖα ἀπαλείφουσι τὰ καταβαλλόμενα χρήματα ἐναντίου [τῆς βουλῆς] ἐν τῷ βουλευτηρίῳ, καὶ πάλιν ἀποδιδόσιν τὰ γραμματεῖα [τῷ δῃ]μοσίῳ· καν τις ἐλλίπη καταβολὴν ἐντεῦθεν γέγραπται, καὶ δι' ἣν [αἰτίαν· καὶ ἀ]νάγκη τὸ [έλλ]ειφθὲν καταβάλλειν ἡ δέδεσθαι, καὶ ταῦτα εἰσπρά[ττειν ἡ βο]υλὴ καὶ δῆσαι [κυρ]ία κατὰ τοὺς νόμους ἔστιν. τῇ μὲν οὖν προτεραίᾳ δέχονται τὰ χρ[ήματα] καὶ μερίζουσι ταῖς ἀρχαῖς, τῇ δ' ὑστεραίᾳ τόν τε μερισμὸν εἰσ[άγου]σι γράψαντες ἐν σανίδι καὶ καταλέγουσιν ἐν τῷ βουλευτηρίῳ, καὶ . . . ασιν ἐν τῇ βουλῇ εἴ τις τινα οἶδεν ἀδικοῦντα περὶ τὸν μερισ[μὸν ἡ ἀρ]χοντα ἡ ἴδιωτην, καὶ γνώμας ἐπιψηφίζουσιν ἐάν τις τι δοκῇ ἀ[δικεῖν]. κ]ληροῦσι δὲ καὶ λογιστὰς ἐξ αὐτῶν οἱ βουλευταὶ δέκα τοὺς λογιουμένους τ[αῖς ἀρ]χαῖς κατὰ τὴν πρυτανείαν ἐκάστην. κληροῦσι δὲ καὶ εὐθύνουσι, ἵνα τῆς φυλῆς

ἀπαλειφθῆναι: MS. *ἀπαλειφηναι*, which may, however, be intended for the second aorist, *ἀπαλιφῆναι*.

48. παραλαβόντες . . . δημοσίῳ: quoted from the *Αθηναίων πολιτεία* by Harpocration, s. v. *ἀποδέκται* (Rose, *Frag.* 400).

εἰσάγουσι: the reading is not very certain; the ε seems to have been written twice over, or else the word begins with θεισ . . .

εὐθύνουσι: Photius says of this word, ἀρχὴ ἡν τις. ἐξ ἐκάστης δὲ φυλῆς ἔνα κληροῦσι, τούτῳ δὲ δύο παρέδρους. Harpocration, after saying that the εὐθύνοι δέκα τὸν ἀριθμὸν ἦσαν ἄνδρες, παρ' οἷς ἐδίδοσαν οἱ πρεσβεύσαντες

έκάστης, καὶ παρέδρους β ἐκάστῳ τῶν εὐθύνων, οἷς ἀναγκαῖον ἔστι ταῖς ἀ[γορ]αῖς κατὰ τὸν ἐπώνυμον τὸν τῆς φυλῆς ἐκάστης καθῆσθαι, καν τις βού[ληται] τινι τῶν τὰς εὐθύνας ἐν τῷ δικαστηρίῳ δεδωκότων ἐντὸς γ [ήμερων ἀφ'] ἡς ἔδωκε τὰς εὐθύνας εὐθυναν ἀνὰ ἴδιαν ἀντιδ[ίκη]η[σιν] ἐμβαλέσθαι, γράψας εἰς πινάκιον λελευκωμένον τούνομα τούτου καὶ τὸ τοῦ φεύγοντος καὶ τὸ ἀδίκημ' ὃ τι ἀν ἐγκάλη, καὶ τίμημα [παραλ]αβόμενος ὃ τι ἀν αὐτῷ δοκῆ δίδωσιν τῷ εὐθύνῳ· ὃ δὲ λαβὼν τοῦτο καὶ ἀ[κούσας] ἐὰν μὲν καταγνῷ παραδίδωσιν τὰ μὲν ἴδια τοῖς δικάσταις τοῖς κατὰ δ[ήμους οἱ] τὴν φυλὴν ταύτην εἰσάγουσιν, τὰ δὲ δημόσια τοῖς θεσμοθέτα[ις ἀνα]γράφει. οἱ δὲ θεσμοθέται ἐὰν παραλαβώσιν πάλιν εἰσάγουσιν [τὴν] εὐθυναν εἰς τὸ δικαστήριον, καὶ ὃ τι ἀν γνῶσιν οἱ δικαστ[αὶ η κ]ρίσις ἔστι.

49. Δοκιμάζει δὲ καὶ τοὺς ἵππους ἡ βουλή, καν μέν τις καλ[ῶς ἔχ]ων κακῶς δοκῆ τρέφειν, ζημοῖ τῷ σίτῳ, τοὺς δὲ μὴ δυναμένους [τ]ρέφειν ἡ μὴ θέλουσι μένειν ἀνάγουσι τροχὸν ἐπὶ τὴν . . . [καὶ ὃ τοῦτο παθὼν ἀδόκιμός ἔστι. δοκιμάζει δὲ καὶ τοὺς πρ[οδρομεύειν εἰναι, καν τινα π[ρο]χειροτονήση καταβέβηκεν οὗτος. δοκιμάζει δὲ καὶ τοὺς ἀνίππους, καν τινα προχειροτονήση πέπανται μισθοφορᾶν οὗτος. τοὺς

ἡ ἀρξαντες ἡ διουκήσαντες τι τῶν δημοσίων τὰς εὐθύνας, adds διειλεκται περὶ αὐτῶν Ἀριστοτέλης ἐν τῇ Ἀθηναίων πολιτείᾳ (Rose, *Frag. 405*).

ἀντιδίκησιν: the reading is doubtful. The reading of the MS. is αντεορ αλτε-, but the ε may be a scribe's mistake.

49. ἀνύγονοι: over the letters να is written a correction, which appears to consist of the letters λγ; but what is intended by the alteration, or what is the whole process spoken of, it is impossible to say.

δ' ἵππεας καταλέγουσιν οἱ καταλογεῖς, οὓς ἀν ὁ δῆμος χειροτόνήσῃ δέκα ἄνδρας· οὓς δ' ἀν καταλέξωσι παραδιδόσαι τοῖς ἵππάρχοις καὶ φυλάρχοις, οὗτοι δὲ παραλαβόντες εἰσφέρουσι τὸν κατάλογον εἰς τὴν βουλὴν καὶ τὸν πίνακα ἀνοίξαντες, ἐν φέτῃ κατεσημασμένα τὰ ὄντα τῶν ἵππεων ἔστι, τοὺς μὲν ἔξομνυμένους τῶν πρότερον ἐγγεγραμμένων μὴ δυνατοὺς εἶναι τοῖς σώμασιν ἵππεύειν ἔξαλείφουσι, τοὺς δὲ κατειλεγμένους [καλοῦσι], καὶ μέν τις ἔξομόσηται μὴ δύνασθαι τῷ σώματι ἵππεύειν ἢ τῇ οὐσίᾳ τοῦτον ἀφιᾶσιν, τὸν δὲ μὴ ἔξομνύμενον διαχειροτονοῦσιν οἱ βουλευταὶ πότερον ἐπιτήδειός ἔστιν ἵππεύειν ἢ οὐ. καὶ μὲν χειροτονήσωσιν, ἐγγράφουσιν εἰς τὸν πίνακα, εἰ δὲ μή, καὶ τοῦτον ἀφιᾶσιν. ἔκρινεν δέ ποτε καὶ τὰ παραδείγματα καὶ τὸν πέπλον ἢ βουλή, νῦν δὲ τὸ δικαστήριον τὸ λαχόν ἔδόκουν γὰρ οὗτοι καταχαρίζεσθαι τὴν κρίσιν. καὶ τῆς ποιήσεως τῶν νικῶν καὶ τῶν ἄθλων τῶν εἰς τὰ Παναθήναια συνεπιμελεῖται

πίνακα : the last letter of this word is omitted in the M.S., through confusion with the first letter of the following word, *ἀνοίξαντες*.

κατεσημασμένα : after the *η* in the middle of this word the letters *ο μ(εν)* δ have been written by mistake and then cancelled.

ἔξαλείφουσι : M.S. *ἔξαλιφουσι*.

ἔξομόσηται : M.S. *ἔξομησηται*.

παραδείγματα : this appears to mean the plans for public buildings and other such matters, which had to be selected originally by the Council, but as that body came to be suspected of jobbery this class of business was transferred from it to a jury chosen by lot. As the latter body would be chosen only for each particular occasion, there would not be the opportunity of bringing private influence to bear upon it before-hand which existed in the case of the Council.

τὸν πέπλον : the *peplus* carried in the great Panathenaic procession was woven on each occasion by a number of girls called *ἔργαστραι*, under the superintendence of two maidens of superior family known as *ἀρρήφοροι*. It appears from the present passage that the former must have been selected by the Council and that it was a position of some

μετὰ τοῦ ταμίου τῶν στρατιωτικῶν. δοκιμάζει δὲ καὶ τοὺς ἀδυνάτους ἡ βουλή· νόμος γὰρ ἔστιν ὃς κελεύει τοὺς ἐντὸς τριῶν μηνῶν κεκτημένους καὶ τὸ σῶμα πεπηρωμένους ὥστε μὴ δύνασθαι μηδὲν ἔργον ἔργαζεσθαι δοκιμάζειν μὲν τὴν βουλήν, διδόναι δὲ δημοσίᾳ τροφὴν δύο ὄβολοὺς ἐκάστῳ τῆς ἡμέρας· καὶ ταμίας ἔστιν αὐτοῖς κληρωτός. συνοικεῖ δὲ καὶ ταῖς ἄλλαις ἀρχαῖς τὰ πλεῖσθ', ὡς ἔπος εἰπεῖν. τὰ μὲν οὖν ὑπὸ τῆς βουλῆς διοικούμενα ταῦτ' ἔστιν.

50. Κληροῦνται δὲ καὶ Ἱερῶν ἐπισκευασταὶ δέκα ἄνδρες, οἱ λαμβάνοντες τριάκοντα μνᾶς παρὰ τῶν ἀπὸ[δε]κτῶν ἐπισκευάζουσιν τὰ μάλιστα δεόμενα τῶν Ἱερῶν, καὶ ἀστυνόμοι δέκα. τούτων δὲ ἐ[μὲν] ἄρχουσιν ἐν Πειραιῇ, πέντε δὲ ἐν ἄστει, καὶ τὰς τε αὐλητρίδας καὶ τὰς ψαλτρίας [καὶ] τὰς κιθαριστρίας οὗτοι σκοποῦσιν ὅπως μὴ πλείονος ἡ δυεῦν δραχμαῖς μισθωθήσονται, κανὸν πλείους τὴν αὐτὴν σπουδάσωσι λαβεῖν οὗτοι διακληροῦσι καὶ τῷ λαχόντι μισθοῦσιν.

privilege or advantage, since the Council was accused of jobbery in its appointments.

τοὺς ἀδυνάτους: Harpocrateion (*s. v. ἀδύνατοι*) refers to this passage, though he mis-quotes part of its purport. His words are *οἱ ἐντὸς τριῶν μηνῶν κεκτημένοι τὸ σῶμα πεπηρωμένοι*. ἐλάμβανον δὲ οὗτοι δοκιμασθέντες δὴ τῆς βουλῆς β' ὄβολοὺς τῆς ἡμέρας ἐκάστης, ἡ δύολὸν δὲ φησιν Ἀριστοτέλης ἐν Ἀθηναίων πολιτείᾳ (Rose, *Frag.* 430). On the other hand the Lex. Seg. (p. 200, 3) quotes Aristotle as he stands here, ἐδοκιμάζοντο δὲ οἱ ἀδύνατοι ὑπὸ τῆς τῶν πεντακοσίων βουλῆς καὶ ἐλάμβανον τῆς ἡμέρας, ὡς μὲν Δυσίας λέγει, ὄβολὸν ἔνα, ὡς δὲ Φιλόχορος, πέντε, Ἀριστοτέλης δὲ δύο ἔφη.

50. ἀστυνόμοι: Harpocrateion (*s. v.*), δέκα φησὶν εἶναι τοὺς ἀστυνόμους Ἀριστοτέλης ἐν τῇ Ἀθηναίων πολιτείᾳ, πέντε μὲν ἐν Πειραιῇ, πέντε δὲ ἐν ἄστει. τούτοις δέ φησι μελειν περὶ τῶν αὐλητρίδων καὶ ψαλτριῶν καὶ τῶν κοπρολόγων καὶ τῶν τοιούτων (Rose, *Frag.* 408).

Πειραιεῖ: MS. Πειραιεῖ.

· δυεῦν δραχμαῖς: so in the MS. The last two letters of δραχμαῖς have been blotted in writing and are re-written above.

καὶ ὅπως τῶν κοπρολόγων μηδεὶς ἐν τοῖς παρὰ τοῦ τείχους καταβαλεῖ κόπρον ἐπιμελοῦνται, καὶ τὰς ὁδοὺς κωλύουσι κατοικοδομεῖν καὶ δρυφάκτους ὑπὲρ τῶν ὁδῶν ὑπερτείνειν καὶ ὀχετοὺς μετεώρας εἰς τὴν ὁδὸν ἔκρουν ἔχομ[ένας] ποιεῖν καὶ τὰς θυρίδας εἰς τὴν ὁδὸν ἀνοίγειν· καὶ τοὺς ἐν ταῖς ὁδοῖς ἀπογιγνομένους ἀναιροῦσιν, ἔχοντες δημοσίους ὑπηρέτας.

ἐν τοῖς παρὰ τοῦ τείχους: the original writing runs *εντος ιδιων του τειχους*, but the *s* at the end of *εντος* and the *δ* in *ιδιων* appear to be cancelled by dots placed above them, and over the last three letters of *ιδιων* are written the characters *s π(apa)*. The latter character is rather doubtful and might be read as *ra*.

καταβαλεῖ: the last four letters are very faint, and there has been some alteration made in them. Apparently *καταβαλη* was written first and the *η* corrected to *ε*.

ἐπιμελοῦνται: MS. *επιμελονται*, but as the form *ἐπιμελέομαι* is elsewhere used in this MS. it seems better to adopt it here also.

καὶ τὰς ὁδοὺς κ.τ.λ.: one of the excerpts from Heraclides *περὶ πολιτείας Ἀθηναίων* runs καὶ τῶν ὁδῶν ἐπιμελοῦνται ὅπως μὴ τινες ἀνοικοδομῶσιν αὐτὰς ή δρυφάκτους ὑπερτείνωσιν (Rose, ed. 1886, *Frag.* 611).

τὰς θυρίδας εἰς τὴν ὁδὸν ἀνοίγειν: it has been commonly supposed that the doors of Greek houses habitually opened outwards, and this is supported by passages from Menander and his Latin imitators and from other Greek authors. That this was the belief of the ancients themselves is seen from Plutarch (*Poplic.* 20), where he says *τὰς δ' Ἑλληνικὰς πρότερον οὐτως ἔχειν (sc. ἐκτὸς ἀπάγεσθαι τὴν αὐλειον) ἀπάσας λέγουσιν ἀπὸ τῶν κωμῳδιῶν λαμβάνοντες, ὅτι κόπτουσι καὶ ψοφοῦσι τὰς αὐτῶν θύρας ἔνδοθεν οἱ προϊέναι μελλοντες, ὅπως αἰσθησις ἔξω γένοιτο τοῖς παρερχομένοις η προεστώσι καὶ μὴ καταλαμβάνοντο προϊούσταις ταῖς κλειστάσιν εἰς τὸν στενωπόν.* There are also several passages in the grammarians in which *ψοφέω* is distinguished as being used for the knocking at the door by a person coming out, and *κρούω* or *κύπτω* for that of a person going in. Bekker however (*Charicles*, *Excurs.* to 3rd Chapter) argues that *ψοφέω* refers only to the noise made by a door in opening, which warned the actors standing outside that some one was entering from the house. That doors did in early times open outwards is proved by the present passage of Aristotle, which shows that it was made the duty of a magistrate to stop the practice, and by the fact quoted by the same writer in the *Economics* (II. 4) that Hippias the tyrant put a tax on doors which opened in that way. Whether that measure was continued after the expulsion of the Pisistratidae we do not know;

51. Κληροῦνται δὲ καὶ ἀγορανόμοι, πέντε μὲν εἰς Πειραιέα, ἐδὲ εἰς ἄστυ. τούτοις δὲ ὑπὸ τῶν νόμων προστέτακται τῶν ὡ[νίω]ν ἐπιμελεῖσθαι πάντων ὅπως καθαρὰ καὶ ἀκίβδηλα πώληται. κληροῦνται δὲ καὶ μετρονόμοι, πέντε μὲν εἰς ἄστυ, ἐδὲ εἰς Πειραιέα· καὶ οὗτοι τῶν μέτρων καὶ τῶν σταθμῶν ἐπιμελοῦνται πάντων ὅπως οἱ πωλοῦντες χρήσωνται δικαίοις. ησαν δὲ καὶ σιτοφύλακες κληρωτοί, πέντε μὲν εἰς Πειραιέα,

but it seems certain that in the course of the fifth century the practice was forbidden. The interpretation of the passages in the comedians is another question, which cannot be fully argued here; but while it is certain that the ancients in subsequent times believed them to speak of a knocking on the part of persons going out, as a warning that the door was about to open, it seems improbable that the practice of opening outwards can really have existed in the times of Menander, in face of this statement of Aristotle, who was one of the *génération* preceding the comic writer.

51. ἀγορανόμοι: Harpocration (*s. v.*) refers to this treatise for the number of these officials (Rose, *Frag.* 409).

μετρονόμοι: the MSS. of Harpocration (*s. v.*) read ησαν δὲ τὸν ἀριθμὸν ἕι, εἰς μὲν τὸν Πειραιᾶ ἕι, ἐδὲ εἰς ἄστυ, and as he proceeds shortly afterwards to refer to this treatise of Aristotle for the description of their duties, his account of their numbers might have been supposed to rest on the same authority. Boeckh (*P. E.* I. 9) accepts the total fifteen, which he thinks is supported, as against the ten given by Photius, by its very uncommonness; but he reverses the sub-division, assigning ten to the city and five to the Piraeus, in which reading he is followed by Rose (*Frag.* 412). Dindorf, however, in his edition of Harpocration, corrects the text, reading ησαν δὲ τὸν ἀριθμὸν ἕι, εἰς μὲν εἰς τὸν Πειραιᾶ, ἐδὲ εἰς ἄστυ. That this is the right reading is proved by the text of Aristotle; and, as Dindorf shows, the error could easily have arisen from the adjoining numerals ἕι and εἰ being combined, an additional number being supplied afterwards for the magistrates in Piraeus, in accordance with this total.

σιτοφύλακες: there is the same sort of confusion about the numbers here as in the case of the metronomi. The MSS. of Harpocration (*s. v.*), who refers to this treatise as his authority, read ησαν δὲ τὸν ἀριθμὸν ἕι μὲν ἐν ἄστει, ἐδὲ ἐν Πειραιῇ, where all that is necessary is to divide the number ἕι into the two numbers ἕι and εἰ, which is done by Dindorf in his edition. Instead of this, Boeckh (*P. E.* I. 15) and Rose (*Frag.* 411) retain the total ἕι and insert ἕι after it; in which they have the partial

πέντε δὲ εἰς ἄστυ, νῦν δὲ εἴκοσι μὲν εἰς ἄστυ, πεντεκαίδεκα δὲ εἰς Πειραιέα. οὗτοι δὲ ἐπιμελοῦνται πρῶτον μὲν ὅπως ὁ ἐν ἀγορᾷ σῖτος ἀργὸς ὄντος ἔσται δικαίως, ἐπειθὲν ὅπως οἱ τε μυλωθροὶ πρὸς τὰς τιμὰς τῶν κριθῶν τὰ ἄλφιτα πωλήσουσιν καὶ οἱ ἀρτοπῶλαι πρὸς τὰς τιμὰς τῶν πυρῶν τοὺς ἄρτους, καὶ τὸν σταθμὸν ἄγοντας ὅσον ἀν οὗτοι τάξωσιν· ὁ γὰρ νόμος τούτοις κελεύει τάττειν. ἐμπορίου δὲ ἐπιμελητὰς δέκα κληροῦσιν· τούτοις δὲ προστέτακται τῶν τὸν ἐμπορίων ἐπιμελεῖσθαι, καὶ τοῦ σίτου τοῦ καταπλέοντος εἰς τὸ σιτικὸν ἐμπόριον τὰ δύο μέρη τοὺς ἐμπόρους ἀναγκάζειν εἰς τὸ ἄστυ κομίζειν.

52. Καθιστᾶσι δὲ καὶ τοὺς ἔνδεκα κληρωτούς, ἐπιμελησομένους τῶν ἐν τῷ δεσμωτηρίῳ, καὶ τοὺς ἀπαγομένους κλέπτας καὶ τοὺς ἀνδραποδιστὰς καὶ τοὺς λωποδύτας, ἀν μὲν [όμολογῷ]σι, θανατῷ ζημιώ-

support of Photius, who has ἡσαν δὲ τὸν ἀριθμὸν πάλαι μὲν πεντεκαίδεκα ἐν ἀστεῖ, ε' δὲ ἐν Πειραιῇ, which they emend by inserting ' before ἐν ἀστεῖ. The text of Aristotle supports Dindorf's reading in Harpocration, and has analogy on its side. Photius may have been misled by Harpocration, and his authority is weakened by his subsequent statement, ὑστερον δέ λ' μὲν ἐν ἀστεῖ, ε' δὲ ἐν Πειραιῇ, where he has the total, thirty-five, correct, but the division wrong.

ἀργός : the reading is a little doubtful. The meaning would be 'unprepared corn,' in which sense the word is used by Hippocrates (*πυρὸς ἀργοὶ*, *Vet. Med.* 12).

ἐμπορίου ἐπιμελητὰς . . . κομίζειν : Harpocration quotes this passage as from Aristotle, but with the variant 'Αττικόν for σιτικόν (Rose, *Frag.* 410). The Lex. Seg. (p. 255) gives substantially the same words, but has ἀστικόν for 'Αττικόν. The name given by Aristotle is more probable. The 'Corn-market' is an intelligible and distinctive title, while the 'Attic-market' would be vague and unmeaning.

52. δρολογώσει : the word is almost entirely lost in a flaw in the papyrus, but can be restored with certainty from the Lex. Seg. (p. 310, 14), οἱ ἔνδεκα τοὺς κλέπτας καὶ τοὺς λωποδύτας καὶ ἀνδραποδιστὰς δρολογοῦντας μὲν ἀποκτινύουσιν, ἀντιλέγοντας δὲ εἰσάγουσιν εἰς τὸ δικαστήριον,

σοντας, ἀν δ' ἀμφισβητῶσιν εἰσάξοντας εἰς τὸ δικαστήριον, καν μὲν ἀποφυγῶσιν ἀφήσοντας, εἰ δὲ μὴ τότε θανατώσοντας, καὶ τὰ [ἀ]πογραφόμενα χωρία καὶ οἰκίας εἰσάξοντας εἰς τὸ δικαστήριον, καὶ τὰ δόξαντα δ[ημ]όσια εἶναι παραδώσοντας τοῖς πωληταῖς, καὶ τὰς ἐνδείξεις εἰσάξοντας καὶ γὰρ ταύτας εἰσάγοντας οἱ ἔνδεκα. εἰσάγοντι δὲ τῶν ἐνδειξέων τινὰς καὶ οἱ θεσμοθέται. κληροῦσι δὲ καὶ εἰσαγωγέας ἐ ἄνδρας, οἱ τὰς ἐμμήνους εἰσάγοντι δίκας, δυοῖν φυλαῖν ἔκαστος. εἰσὶ δ' ἐμμηνοι προικός, ἐάν τις ὄφείλων μὴ ἀποδῷ, καν τις ἐπὶ δραχμῇ δανεισάμενος ἀποστερῇ, καν τις ἐν ἀγορᾷ βουλόμενος ἐργάζεσθαι δανείσηται παρά τινος ἀφορμήν, ἔτι δ' αἰκείας καὶ ἐρανικὰς καὶ κοινωνικὰς καὶ ἀνδραπόδων καὶ ὑποζυγ[ίω]ν καὶ τριηραρχίας καὶ τραπεζιτικάς. οὗτοι μὲν οὖν ταύτας δικάζοντιν ἐμ-

and Pollux (VIII. 102), οἱ ἔνδεκα . . . ἐπεμελοῦντο τῶν ἐν τῷ δεσμωτηρίῳ καὶ ἀπῆγον κλέπτας ἀνδραποδιστὰς λαποδύτας, εἰ μὲν δρολογοῖεν θανατώσοντες, εἰ δὲ μὴ εἰσάξοντες εἰς τὰ δικαστήρια καν δλῶσιν ἀποκτενοῦντες. Rose (in his last edition, 1886) gives these two passages as *Frag.* 429, though Aristotle is not referred to by name in them. The Athenian administration of law does not seem to have held out much inducement to criminals to confess.

ζημιώσοντας: MS. ζημιωθησοντας, evidently a confusion between ζημιώσοντας and ζημιωθησομένους.

ἀν δ': MS. εν δ'.

ἐμμηνοι: the list of the classes of cases included under this head (which had to be decided within a month of their commencement) is much longer than that elsewhere given. Pollux (VIII. 101), *s. v.* ἐπαγωγέις, says ἡσαν δὲ προικός, ἐρανικά, ἐμπορικά. Harpocration (*s. v.* ἐμμηνοι δίκαι) mentions only the last two of these. Boeckh argues that transactions relating to mines came under the same head, but Aristotle does not mention them as such (*cf.* Boeckh's treatise on the silver mines of Laurium, *Denkschr. d. Berl. Akad.* 1815).

δανεισάμενος: MS. δανισάμενος, and again a few words later, δανισηται.

ἐν ἀγορᾷ: the MS. has εν for εν, the mistake being doubtless caused by the fact that εν occurs immediately above it in the preceding line.

μήνους εἰσάγ[ον]τες, οἱ δὲ ἀποδέκται τοῖς τελώναις καὶ κατὰ τῶν τελωνῶν, τὰ μὲν μεχρὶ δέκα δραχμῶν ὅντες κύριοι, τὰ δὲ ἄλλα εἰς τὸ δικαστήριον εἰσάγοντες ἔμμηνα.

53. Κληροῦσι δὲ καὶ τετταράκοντα, τέτταρας ἔξι ἑκάστης φυλῆς, πρὸς οὓς τὰς ἄλλας δίκας λαγχάνουσιν· οἱ πρότερ[ον] μὲν ἡσαν τριάκοντα, καὶ κατὰ δήμους περιύοντες ἐδίκαζον, μετὰ δὲ τὴν ἐπὶ τῶν τριάκοντα ὀλιγαρχία[ν] τέτταράκοντα γεγόνασιν. καὶ τὰ μὲν μεχρὶ δέκα δραχμῶν αὐτοτελεῖς εἰσὶ [Col. 27.] [κρίνει]ν, τὰ δὲ ὑπὲρ τοῦτο τὸ τίμημα τοῖς διαιτηταῖς παραδιδόσιν. οἱ δὲ παραλαβόντες, [έ]ὰν μὴ δύ-

δραχμῶν: represented in the MS. by its symbol ⌈.

53. τετταράκοντα: the name of these magistrates, which Aristotle omits, was κατὰ δήμους δικασταί, as appears from Harpocration and Pollux. Harpocration (s. v.) says περὶ τῶν κατὰ δήμους δικαστῶν, ὡς πρότερον μὲν ἡσαν λ' καὶ κατὰ δήμους περιύοντες ἐδίκαζον, εἴτα ἐγένοντο μ', εἴρηκεν Ἀριστοτέλης ἐν τῇ πολιτείᾳ. Pollux (VIII. 100) mentions the ten-drachma limit, οἱ δὲ τετταράκοντα πρότερον μὲν ἡσαν τριάκοντα, οἱ περιύοντες κατὰ δήμους τὰ μέχρι δραχμῶν δέκα ἐδίκαζον, τὰ δὲ ὑπὲρ ταῦτα διαιτηταῖς παρεδίδοσαν· μετὰ δὲ τὴν τῶν τριάκοντα ὀλιγαρχίαν μίσει τοῦ ἀριθμοῦ τοῦ τριάκοντα τετταράκοντα ἐγένοντο (Rose, *Frag.* 413). They were instituted by Pisistratus, as is recorded in ch. 16, but apparently the office fell into disuse after the fall of the tyranny and was re-established in 453 B.C., as is stated in ch. 26.

ἔξι ἑκάστης φυλῆς: this seems to have been at first intended to be written ἐκ τῆς φυλῆς ἑκάστης or ἐκ τῶν φυλῶν, but after *εκ τ* there is a blot which is followed by the word ἑκάστης, while φυλῆς is inserted at the beginning of the next line. This makes it necessary to alter *εκ* into *ἔξι*.

λαγχάνουσιν: λαγχάνειν δίκην is the phrase applied to the suitor, who obtains leave to bring a suit before the proper magistrate. The subject therefore which must be supplied for λαγχάνουσιν here is some word meaning 'suitors.'

περιύοντες: MS. περιοντες. This elision is found in the comedians (cf. Liddell and Scott), but does not appear to be justified in a historian.

τοῖς διαιτηταῖς: cf. Harpocration (s. v.), who cites Aristotle (λέγει δὲ περὶ αὐτῶν Ἀριστοτέλης ἐν Ἀθηναίων πολιτείᾳ), and Pollux (VIII. 126). Rose, *Frag.* 414.

νωνται διαλύσαι, γιγνώσκουσι, καν μὲν ἀμφοτέροις ἀρέσκη τὰ γνωσθέντα [καὶ] ἐμμένωσιν, ἔχει τέλος ἡ δίκη. ἀν δὲ ὁ ἔτερος ἐφῆ τῶν ἀντιδίκων εἰς τὸ δικαστήριον, ἐμβαλόντες τὰς μαρτυρίας καὶ τὰς προκλήσεις καὶ τὸν νόμους εἰς ἔχίνους, χωρὶς μὲν τὰς τοῦ διώκοντος χωρὶς δὲ τὰς τοῦ φεύγοντος, καὶ τούτους κατασημηνάμενοι καὶ τὴν κρίσιν τοῦ διαιτητοῦ γεγραμμένην ἐν γραμματείῳ προσαρτήσαντες, παραδιδόσι τοῖς ἐπὶ τοῖς τῆς φυλῆς τοῦ φεύγοντος δικάζουσιν· οἱ δὲ παραλαβόντες εἰσάγοντες εἰς τὸ δικαστήριον, [τὰ μὲν ἐντὸς χιλίων εἰς ἔνα καὶ διακοσίους, τὰ δὲ ὑπὲρ χιλίας εἰς ἔνα καὶ τετρακοσίους. οὐκ ἔξεστι δὲ οὐ]τε νόμοις οὔτε προκλήσεις οὔτε μαρτυρίαις ἀλλ’ ἡ τὰς παρὰ τοῦ διαιτητοῦ χρῆσθαι τὰς εἰς] τὸν ἔχίνους ἐμβεβλημέναις. διαιτηταὶ δὲ εἰσὶν οἵς ἀν ἔξηκοστὸν ἔτος ἥ. τοῦτο δὲ δῆλον [ἐκ τῶν ἀρχόντων καὶ τῶν ἐπωνύμων. εἰσὶ γὰρ ἐπώνυμοι δέκα μὲν οἱ τῶν φυλῶν, δύο δὲ καὶ τετταράκοντα οἱ τῶν ἡλικιῶν· οἱ δ'

ἔχίνους: cf. Harpocrateion (s. v.), ἔστι μὲν ἄγγος τι εἰς δὲ τὰ γραμματεῖα τὰ πρὸς τὰς δίκας ἐτίθεντο μημονεύει τοῦ ἄγγους τούτου καὶ Ἀριστοτέλης ἐν τῇ Ἀθηναίων πολιτείᾳ καὶ Ἀριστοφάνης Δαναίσιν (Roše, *Frag.* 415). Photius mentions their special use for holding the evidence taken before an arbitrator when an appeal was made from him to the jury-courts.

τοῖς ἐπὶ: the reading is rather doubtful. In ch. 58 these persons are described as *οἱ τὴν φυλὴν δικάζοντες*, but the meaning of the phrase is not clear. In both places, however, they are spoken of in connection with the *διαιτηταί*, and it would appear that they were local magistrates whose functions were intermediate between the *διαιτηταί* and the *δικαστήρια* at Athens.

δύο δὲ καὶ τετταράκοντα οἱ τῶν ἡλικιῶν: the subject of these ἐπώνυμοι τῶν ἡλικιῶν is obscure. Harpocrateion (s. v. *στρατεία* ἐν τοῖς ἐπωνύμοις) quotes the present passage, saying τίς ἡ ἐν τοῖς ἐπωνύμοις στρατεία δεδήλωκεν Ἀριστοτέλης ἐν Ἀθηναίων πολιτείᾳ λέγων, “εἰσὶ γὰρ

ἔφηθοι ἔγγραφόμενοι πρότερον μὲν εἰς λελευκωμένα γραμματεῖα ἐνεγράφουντο, καὶ ἐπεγράφουντο αὐτοῖς ὃ τ' ἄρχων ἔφ' οὐ ἐνεγράφησαν καὶ ὁ ἐπώνυμος ὁ ἀναγράφοιται·” καὶ μετ' ὀλίγα “χρῶνται δὲ τοῖς ἐπώνυμοις . . . στρατεύεσθαι” (*vid. infra*). He also says (*s. v. ἐπώνυμοι*), διττοί εἰσιν οἱ ἐπώνυμοι, οἱ μὲν ἵ τὸν ἀριθμὸν, ἀφ' ὧν αἱ φυλαὶ, ἔτεροι δὲ β' καὶ μ', ἀφ' ὧν αἱ ἡλικίαι προσαγορεύονται τῶν πολιτῶν καθ' ἔκαστον ἔτος ἀπὸ τῆς ἑταῖρος μέχρι ξ' (Rose, *Frag.* 429). The *Etym. Magn.* says ἐπώνυμοι· διττοί εἰσιν οὗτοι, οἱ μὲν λεγόμενοι τῶν ἡλικιῶν, καὶ εἰσὶ δύο καὶ τεσσαράκοντα, οἱ καλοῦνται καὶ ληξέων ἐπώνυμοι· οἱ δὲ δέκα, ἀφ' ὧν αἱ φυλαὶ προσηγορεύθησαν, οἰον Ἐρεχθεύς, κ.τ.λ. Some writers (*e.g.* Smith's *Dict. Ant.* *s.v.* *Eponymus*; Schömann, *Antiquities of Greece*, Eng. Tr. p. 423) explain these forty-two eponymi to be the archons under whom the men liable for military service at any given time had enlisted. This, however, seems quite impossible, first from the way in which these forty-two are spoken of as parallel to the ten after whom the tribes were called, who were, of course, a fixed body, not merely a group of names which would never be the same for two years together. Further, it would be quite unnecessary to lay emphasis on the number forty-two. No doubt, as all persons were liable to military service from the ages of eighteen to sixty, the men on the roll at any given moment could be classified under the forty-two archons of the years in which they had respectively been placed on the roll; but for this it would not be necessary to say more than that each man's military service was reckoned from the archon under whom he had entered upon it. It seems rather that for the purposes of military service a cycle of forty-two years was arranged, to each of which a name was given, probably chosen, like those of the eponymi of the ten tribes, from the heroes of Athenian legendary history. Thus when a youth was enrolled in the lists of the tribes and became liable for military service, his name was entered on a roll, with the date of the year according to the archon and the name of the eponymous hero from whom his military service was to be dated. For all official purposes, such as the indication of what years were to be called out for service on any particular occasion, these names were employed; and this system had the advantage that it could be used for indicating dates in advance, to which the ordinary method of dating by the name of the archon was inapplicable. This cycle of forty-two years may be compared with the induction-cycle of fifteen years in use under the Byzantine empire. Each able-bodied man had to serve through a complete round of these forty-two names; and on reaching the end of this cycle, *i.e.* when he attained the age of sixty, he then had to serve one year as a *διαιτητής* or arbitrator.

ὅ τ' ἄρχων . . . καὶ ὁ ἐπώνυμος: this phrase alone is enough to show that the archon and the eponymus cannot be the same, *i.e.* that the

τῷ προτέρῳ [ἔτει] δεδιαιτηκώς, νῦν δὲ εἰς στήλην χαλκῆν ἀναγράφονται, καὶ ἵσταται ἡ στήλη πρὸ τοῦ θουλε[υτ]ηρίου περὶ τοὺς ἐπωνύμους. τὸν δὲ τελευταῖον τῶν ἐπωνύμων λαβόντες οἱ [τεττ]αράκοντα διαινέμονσιν αὐτοῖς τὰς διαιτας, καὶ ἐπικληροῦσιν ἄς ἔκαστος διαιτήσει· καὶ ἀναγκαῖον ἄς ἀν ἔκαστος λαχῆ διαιτας ἐκδιαιτᾶν. ὁ γὰρ νόμος, ἃν τις μὴ γένηται διαιτητὴς τῆς ἡλικίας αὐτῷ καθηκούσης, ἀτιμον εἶναι κελεύει, πλὴν ἐὰν τυχῇ ἀρχὴν ἄρχ[ω]ν [ἄλλη]ν ἐκείνῳ τῷ ἐνιαυτῷ ἡ ἀποδημῶν. οὗτοι δὲ ἀτελεῖς εἰσὶ μόνοι. ἔστιν δὲ καὶ εἰσαγγέλλειν εἰς τοὺς δικαστὰς ἐάν τις ἀδικήθῃ ὑπὸ τοῦ διαιτητοῦ,

eponymus is not here the same as the archon eponymus. Harpocration gives the same reading, with the exception that the article before ἐπώνυμος is absent; and Rose consequently transposes the words, reading δὲ ἄρχων . . δὲ ἐπώνυμος καὶ ὁ κ.τ.λ. Such an alteration is, however, clearly unauthorised.

δεδιαιτηκώς: in Demosthenes (pp. 542, 902) the perfect is δεδιητηκέναι, but the form given in the MS. is preserved here. The MSS. of Harpocration mostly read δεδεικτικώς, which Dindorf (after Aldus) corrects to δεδιητηκώς, Rose to δεδιφκηκώς. Photius and Suidas give ἐπιδεδημηκώς.

περὶ τοὺς ἐπωνύμους: *i. e.* near the statues of the ten eponymous heroes of the tribes; *cf.* note on ch. 3, φῆκσαν κ.τ.λ. It may be questioned whether περὶ (which is written in contracted form, π') is not a scribe's error for παρά (π'). After these words the phrase καὶ τὸν τελευταῖον has been written and cancelled, τὸν δὲ τελευταῖον being then written instead.

τὸν δὲ τελευταῖον κ.τ.λ.: *i.e.* each year the Forty take the list of those who are completing the last of their forty-two years of military service, and assign to them the duties as διαιτηται which they are to undertake during the following year.

καὶ ἀναγκαῖον κ.τ.λ.: *cf.* Pollux (VIII. 126), ἐπεκληροῦντο αὐτοῖς αἱ διαιται, καὶ ἀτιμίᾳ ἀφώριστο τῷ μὴ διαιτήσαντι τὴν ἐπικληρωθεῖσαν διαιταν.

δικαστάς: MS. διαιτητας, clearly a confusion with the διαιτητοῦ following. The true reading is recoverable from Harpocration (*s. v.* εἰσαγγελία), ἀλλη δὲ εἰσαγγελία ἔστι κατὰ τῶν διαιτητῶν εἰ γάρ τις ὑπὸ διαιτητοῦ ἀδικηθείη, ἔξην τοῦτον εἰσαγγέλλειν πρὸς τοὺς δικαστάς, καὶ ἀλοὺς ἡτιμοῦτο.

καν τίνος καταγνώσιν ἀτιμοῦσθαι κελεύουσιν οἱ νόμοι. ἔφεσις δὲ ἐστὶ καὶ τούτοις. χρῶνται δὲ τοῖς ἐπωνύμοις καὶ πρὸς τὰς στρατείας, καὶ ὅταν ἡλικίαν ἐκπέμπωσι προγράφουσιν ἀπὸ τίνος ἀρχοντος καὶ ἐπωνύμου μὲν τίνων δεῖ στρατεύεσθαι.

54. Κληροῦσι δὲ καὶ τάσδε τὰς ἀρχὰς ὁδοποιὸν πέντε, οἷς προστέτακται δημοσίους ἐργάτας ἔχουσι τὰς ὁδοὺς ἐπισκευάζειν, καὶ λογιστὰς δέκα καὶ συνηγόρους τούτοις δέκα, πρὸς οὓς ἀπαντας ἀνάγκη τοὺς τὰς ἀρχὰς [ἀρξαντ]ας λόγον ἀπενεγκεῖν. οὗτοι γάρ εἰσι μόνοι τοῖς ὑπευθύνοις λογιζόμενοι καὶ τὰς εὐθύνας εἰς τὸ δικαστήριον εἰσάγοντες. καν μέν τινα κλέπτοντ' ἔξελέγξωσι, κλοπὴν οἱ δικασταὶ καταγινώσκουσι καὶ τὸ γνωσθὲν ἀποτίνεται δεκαπλοῦν· ἐὰν δέ τινα δῶρα λαβόντα ἐπιδείξωσιν καὶ καταγνώσιν οἱ δικασταί, δώρων τιμῶσιν, ἀποτίνεται

ἀπό: so Harpocration; in the MS. the *α* is, by some confusion, followed by the sign which is often used to denote the termination *αι* of a verb.

τίνων : τίνος Harpocration.

54. λογιστὰς δέκα καὶ συνηγόρους: Harpocration (*s. v. λογισταί*) says ἀρχὴ τις παρ' Ἀθηναίοις οὕτω καλουμένη· εἰσὶ δὲ τὸν ἀριθμὸν δέκα, οἱ τὰς εὐθύνας τῶν διφημένων ἐκλογίζονται ἐν ἡμέραις τριάκοντα τὰς ἀρχὰς ἀποθῶνται οἱ ἀρχοντες. . . διελεκται περὶ τούτων Ἀριστοτέλης ἐν τῇ Ἀθηναίων πολιτείᾳ, ἐνθα δείκυνται ὅτι διαφέρουσι τῶν εὐθύνων (Rose, *Frag.* 406). The Lex. rhet. Cantabrig. p. 672, 20, has a quotation professing to be from Aristotle, but differing wholly from the present passage; and as it is unlikely that Aristotle would have had two descriptions of the same officers in this one treatise, it is probable that the reference is incorrect. The passage runs thus, Ἀριστοτέλης ἐν τῇ Ἀθηναίων πολιτείᾳ οὕτως λέγει· λογισταὶ δὲ αἱροῦνται δέκα, παρ' οἷς διαλογίζονται πᾶσαι αἱ ἀρχαὶ τὰ τε λήμματα καὶ τὰς γεγενημένας δαπάνας· καὶ ἄλλοι δέκα συνήγοροι οἵτινες συνανακρίνουσι τούτοις. καὶ οἱ τὰς εὐθύνας διδόντες παρὰ τούτοις ἀνακρίνονται πρῶτον, εἴτα ἐφίενται εἰς τὸ δικαστήριον, εἰς ἕνα καὶ φ' (Rose, *Frag.* 407).

καταγινώσκουσι: at first written καταγινωισκουσι in the MS., but the superfluous *ι* is cancelled by a dot above it,

δὲ καὶ τοῦτο δεκαπλοῦν ἀν δ' ἀδικεῖν καταγνῶσιν, ἀδικίου τιμῶσιν, ἀποτίνεται δὲ τοῦθ' ἀπλοῦν ἐὰν [πρὸ τῆς] θ πρυτανείας ἐκτίση τις, εἰ δὲ μή, διπλοῦται· τὸ <δὲ> δεκαπλοῦν οὐ διπλοῦται. κλήροῦσι δὲ καὶ γραμματέα τὸν κατὰ πρυτανείαν καλούμενον, ὃς τῶν γραμματέων ἐστὶ κύριος καὶ τὰ [ψη]φίσματα τὰ γινόμενα φυλάττει, καὶ τὰλλα πάντα ἀντιγράφεται καὶ παρακάθηται τῇ βουλῇ. πρότερον μὲν οὖν οὗτος ἦν χειροτονητός, καὶ τοὺς ἐνδοξοτάτους

ἀδικίου: this class of actions is not mentioned in the extant orators (Dindorf ad Harp. s. v.), but Harpocration mentions it and quotes the present passage almost verbally, though without referring to Aristotle by name. His words are, ἐστὶ δὲ ὄνομα δίκης. ἀποτίνεται δὲ τοῦτο ἀπλοῦν, ἐὰν πρὸ τῆς θ πρυτανείας ἀποδοθῇ· εἰ δὲ μή, διπλοῦν καταβάλλεται. Plutarch (*Peric.* 32) mentions it in reference to the charge brought against Pericles regarding his expenditure of the public money, "Αγνων δὲ τοῦτο μὲν ἀφειλε τοῦ ψηφίσματος, κρίνεσθαι δὲ τὴν δίκην ἔγραψεν ἐν δικασταῖς χιλίοις καὶ πεντακοσίοις, εἴτε κλοπῆς καὶ δώρων εἴτε ἀδικίου βούλοιτό τις ὄνομάζει τὴν δίωξιν. It may be suggested, in passing, that in the latter passage the number 1500 is a mistake for 501. The numeral for 1 (α') is easily confounded with that for 1000 (α or ἄ), and we have several instances of courts composed of a round number of hundreds with one additional member, which show that it was the usual practice. Courts of 201 and 401 are mentioned in ch. 53, and 501 is given as the size of the court for trying this particular class of cases in the extract from the *Lex. rhet. Cantabrig.* quoted just above. It is evident that Hagnon proposed that Pericles should be tried by the regular court, in place of the unusual procedure proposed by Dracontides.

τὸ δὲ δεκαπλοῦν: it seems necessary to insert the δέ, the omission of which is easily explicable from the recurrence of the same two letters at the beginning of the following word.

γραμματέα τὸν κατὰ πρυτανείαν καλούμενον: Harpocration (s. v. γραμματέως) quotes this passage, from τῶν γραμματέων το βουλῆ, reading, however, γραμμάτων for γραμματέων. Pollux (VIII. 98) mentions both this γραμματέως and the others whom Aristotle describes below, γραμματέως ὁ κατὰ πρυτανείαν κληρωθεὶς ὑπὸ τῆς βουλῆς ἐπὶ τῷ τὰ γράμματα φυλάττειν καὶ τὰ ψηφίσματα· καὶ ἔτερος ἐπὶ τοὺς νόμους ὑπὸ τῆς βουλῆς χειροτονούμενος. ὁ δ' ὑπὸ τοῦ δήμου αἱρεθεὶς γραμματέως ἀναγινώσκει τῷ τε δήμῳ καὶ τῇ βουλῇ (Rose, *Frag.* 399).

καὶ πιστοτάτους [έχειρ]οτόνουν· καὶ γὰρ ἐν ταῖς στήλαις πρὸς ταῖς συμμαχίαις καὶ προξενί[αι]ς καὶ πολιτείαις οὗτος ἀναγράφεται· νῦν δὲ γέγονε κληρωτός. κληροῦσι δὲ καὶ ἐπὶ τοὺς νόμους ἔτερον ὃς παρακάθηται τῇ βουλῇ, καὶ ἀντιγράφεται καὶ οὗτος πάντας. χειροτονεῖ δὲ καὶ ὁ δῆμος γραμματέα τὸν ἀναγνωσόμενον αὐτῷ καὶ τῇ βουλῇ, καὶ οὗτος οὐδενός ἐστι κύριος ἀλλὰ τοῦ ἀναγνῶναι. κληροῖ δὲ καὶ ἱεροποιοὺς δέκα, τοὺς ἐπὶ τὰ ἔκθύματα καλουμένους,

πιστοτάτους: the MS. appears to read *απιστοτάτους*, though the third, fourth, and fifth letters are open to question. It is of course impossible that this should be the genuine word, and it is simplest to emend it by omitting the *a*. *καὶ* is written in the MS. in its usual contraction; and it appears possible that the *a* may be due to some confusion with the second letter of *καὶ* in its uncontracted form. The original from which this MS. was copied would have had *καιπιστοτάτους*, which the copyist has reproduced as *κ' απιστοτάτους*.

πολιτείαις: the fourth and fifth letters in the MS. are doubtful, but it does not appear possible that the word can be other than that here read, though the use of it, apparently as indicating public measures in general, is strange, and only partly paralleled by Demosthenes (*De Cor.* p. 254), δ Φίλιππος ἔξηλάθη . . . τῇ δὲ πολιτείᾳ καὶ τοῖς ψηφίσμασι .. ὥπ' ἐμοῦ.

ἐπὶ τοὺς νόμους ἔτερον: the MS. reading apparently is *επι τοντοις ν[ο]μον ετερον*, which of course must be a scribe's blunder. The official mentioned is no doubt the same as the second of those named by Pollux; but it is a question whether he is not also the same as the ἀντιγράφεις mentioned by Pollux and Harpocration. Pollux (*J. C.*) says ἀντιγράφεις πρότερον μὲν αἰρέτος, αὐθις δὲ κληρωτὸς ἦν καὶ πάντα ἀντιγράφετο παρακαθήμενος τῇ βουλῇ. The latter words correspond exactly with Aristotle's description, and it seems probable that Pollux has described the same official twice over. Harpocration quotes Aristotle as speaking of the ἀντιγράφεις τῆς βουλῆς in this treatise, and the use of the word ἀντιγράφεται makes it practically certain that this is the passage referred to. Aristotle, however, appears not to have given him that title, but to have spoken of him merely as ἔτερος γραμματεὺς ὃς . . . ἀντιγράφεται.

πάντας: sc. *νόμους*, which confirms the emendation *ἐπὶ τοὺς νόμους* at the beginning of the sentence.

ἱεροποιούς: the Etym. Magn. quotes this description, as far as *πλήν*

[οἱ] τά τε [μαν]τευτὰ ἵερά θύουσιν, καν τι καλλιερῆσαι δέη καλλιεροῦσι μετὰ τῶν μάντε[ων]. κληροὶ δέ καὶ ἑτέρους δέκα, τοὺς κατ' ἐνιαυτὸν καλουμένους, οἱ θυσίας τέ τινας θύουσι [καὶ τὰς πεντε]τηρίδας ἀπάσας διοικοῦσιν πλὴν Παναθηναίων. [εἰσὶ δὲ] πεντετηρίδες, μία [μὲν ἡ εἰς] Δῆλον. (ἔστι δὲ καὶ

Παναθηναίων, almost verbally, and refers to this treatise as its authority, but it makes no mention of the two different boards of ten of which Aristotle speaks, combining the functions of both under one head (Rose, *Frag.* 404).

τά τε μαντευτὰ ἵερά θύουσιν: the E. M. reads τά τε μαντεύματα ἵεροθεοῦσι (one MS. *ἱεροθύτουσι*), but the reading of the MS. here is confirmed by the Lex. Demosth. Patm. (p. 11, ed. Sakk.) which has οἱ τά μαντεύματα ἵερά θύουσιν. It is not impossible that *μαντευτά* here is a slip for *μαντεύματα*; otherwise *ἵερά* is of course the substantive and *μαντευτά* means 'appointed by oracle.'

πεντετηρίδες: Pollux (VIII. 107) also enumerates these festivals in connection with the *ἱεροποιοι*, whom he describes thus, δέκα ὄντες οὐτοι θύουν θυσίας τὰς (γομιζομένας καὶ) πεντετηρίδας (διοικοῦσι), τὴν εἰς Δῆλον, τὴν ἐν Βραυρῶν, τὴν τῶν Ἡρακλείων (MS. Ἡρακλειδῶν), τὴν Ἐλευσῖν. The corrections (indicated by the brackets) made by Rose are justified by the text of Aristotle, though it would be preferable to insert *τὰς* before *πεντετηρίδας*, which would help to explain the omission of the phrase in the archetypal MS. Of the four festivals mentioned, that at Delos (called *εἰς Δῆλον* from its involving a *θεωρία* from Athens to the island) is the one of which the re-establishment is recorded by Thucydides (III. 104). Delos being subject to Athens, the Athenians took over the management of the ancient Delian festival. The festival of Artemis at Brauron is mentioned by Herodotus (VI. 138), and was the occasion of the curious ceremony in which the Athenian girls imitated bears and were denominated *άρκτοι*. Of the Heracleia little is known. Harpocration (s. v.) refers to Demosthenes (*De Fals. Leg.* pp. 368, 379), and adds πολλάν τοις ὄντων τῶν κατὰ τὴν Ἀττικὴν Ἡρακλείων, νῦν δὲ ὁ Δημοσθένης μημονεύοι οἵτοι τῶν ἐν Μαραθῶν ἢ τῶν ἐν Κυνοσάργει ταῦτα γὰρ μᾶλιστα διὰ τιμῆς εἶχον Ἀθηναῖοι. That it was a festival held ordinarily outside Athens is clear from the passages in Demosthenes, in which the fact of its being held within the walls is mentioned as a sign of the alarm caused by the fear of invasion. The festival at Eleusis is, as the words of Aristotle show, the great Panathenaea, the special feature of which was the procession with the *πέπλος* of Athena to the temple of Demeter at Eleusis and thence back to the Acropolis.

ἐπ[τα]τηρὶς ἔνταῦθα), δευτέρα δὲ Βραυρωνία, τρίτη [δὲ Ἡράκλει]α, τετάρτη δὲ τὰ Ἐλευσίναδε Παναθήναια· καὶ τούτων οὐδεμία ἐν τῷ αὐτῷ ἐγγί[νεται]. . . δὲ πρόκειται . . . αἰς . . . ἐπὶ Κηφισοφῶντος ἄρχοντος. κληροῦσι δὲ καὶ εἰς Σαλαμῖνα ἄρχοντα, καὶ εἰς Πει[ραι]έα δήμ[αρχ]ον, οὐ τά τε Διονύσια ποιοῦσι ἑκατέρωθι καὶ χορηγοὺς καθίστασιν· ἐν Σαλαμῖνι δὲ καὶ τὸ [οὐ]ομα τοῦ ἄρχοντος ἀναγράφεται.

55. Αὗται μὲν οὖν αἱ ἄρχαι κληρωταί τε καὶ κύριαι τῶν [εἱρη]μένων [πραγμάτ]ων εἰσίν. οἱ δὲ καλούμενοι ἐννέα ἄρχοντες, τὸ μὲν ἐξ ἄρχῆς ὃν τρόπον καθίσταντο [εἱρηται ἥδη· νῦν] δὲ κληροῦσιν

ἐν τῷ αὐτῷ ἐγγίνεται: the reading is a little doubtful. The MS. apparently at first had *εν τωι αυτωι γινεται*, but above the beginning of the last word an addition has been made in the same hand which appears to be the letters *εν*. If the reading is correct, *εν τῷ αὐτῷ* presumably means 'in the same place.' It might conceivably be taken to mean 'in the same year,' but against this conjecture it may be noticed that the Delian festival, according to the date given by Thucydides (*l. c.*), was re-established in the third year of an Olympiad, which is also the year of the great Panathenaea; and presumably it continued to be celebrated in the same year afterwards. The Heracleia appears from the passages in Demosthenes also to have fallen in the third year of the Olympiad, in the month Hecatombaeon; but the date of the Brauronia is unknown.

ἐπὶ Κηφισοφῶντος ἄρχοντος: *i.e.* 329 B.C. The sentence is hopelessly mutilated, partly through a lacuna in the papyrus, partly through the writing having been obliterated in the middle of the column, where the papyrus was folded. The letter before *αἰς* appears to be either *φ* or *ρ*; if it is the former, the word is probably *γραφαῖς*, and the sentence may have stood, *τοῦτο δὲ προκείται γραφαῖς ταῖς ἐπὶ Κ. ἄρχοντος*, the meaning being that public regulations were made concerning those festivals at the date mentioned. But it is impossible to restore the passage with certainty. The note of time is, however, useful, as showing that the *Πολεῖαι* was composed (or at any rate revised, as this is clearly an incidental note which might have been added after the main bulk of the work was written) in the last seven years of Aristotle's life.

55. *εἱρηται ἥδη*: see chapters 3, 8, 22, 26.

θεσμοθέτας μὲν ἔξι καὶ γραμματέα τούτοις, ἔτι δὲ ἄρχοντα καὶ βασι[λέα] καὶ πολέμαρχον, κατὰ μέρος ἔξι ἑκάστης φυλῆς. δοκιμάζονται δὲ οὗτοι πρώτον μὲν ἐν τῇ [βουλῇ] τοῖς φί, πλὴν τοῦ γραμματέως, οὗτος δὲ ἐν δικαστηρίῳ μόνον ὕσπερ οἱ ἄλλοι ἄρχοντ[τες] (π[άντες γὰρ καὶ] οἱ κληρωτοὶ καὶ οἱ χειροτονητοὶ δοκιμασθέντες ἄρχουσιν), οἱ δὲ ἐννέα [ἄρχοντες [ἐν]] τε τῇ βουλῇ καὶ πάλικ ἐν δικαστηρίῳ. καὶ πρότερον μὲν οὐκ ἡρχεν ὅντ[ιν' ἀ]πόδοκιμάσειεν ἡ βουλή, νῦν δὲ ἔφεσις ἔστιν εἰς τὸ δικαστήριον, καὶ τοῦτο κύριόν ἔστι τῆς δοκι[μα]σίας. ἐ[πε]ρωτώσιν δὲ [Col. 28.] ὅταν δοκιμάζωσιν, πρώτον μὲν τίς σοι πατήρ καὶ πόθεν τῶν δήμων, καὶ τίς πατρὸς πατήρ, καὶ τίς μήτηρ, καὶ τίς μητρὸς πατήρ καὶ πόθεν τῶν δήμων μετὰ δὲ ταῦτα εἰ ἔστιν αὐτῷ Ἀπόλλων πατρῷος καὶ Ζεὺς ἔρκειος, καὶ ποῦ ταῦτα τὰ ἱερὰ ἔστιν, εἴτα ἡρία εἰ ἔστιν καὶ

θεσμοθέτας . . . ἔξι ἑκάστης φυλῆς: Schömann (*Ant. of Greece*, Eng. Tr. p. 410), following Sauppe (*De creatione archontum*) suggests that the nine archons were chosen from nine of the tribes selected by lot, the tenth electing none. The present passage shows that the tenth was compensated by having the election of the Secretary to the archons.

πρώτον μὲν κ.τ.λ.: a summary of the passage which follows is given by Pollux (VIII. 85, 86), ἐκαλείτο δέ τις θεσμοθετῶν ἀνάκρισις, εἰ Ἀθηναῖοι εἰσιν ἑκατέρωθεν ἐκ τριγονίας καὶ τὸν δῆμον πόθεν καὶ εἰ Ἀπόλλων ἔστιν αὐτοῖς πατρῷος καὶ Ζεὺς ἔρκειος καὶ εἰ τοὺς γονέας εὐ ποιοῦσι καὶ εἰ ἔστρατενται ὑπὲρ τῆς πατρίδος καὶ εἰ τὸ τίμημα ἔστιν αὐτοῖς (Rose, *Frag.* 374). There is a similar passage in the *Lex. rhet. Cantabrig.* (p. 670, 14), in which Aristotle is referred to by name (Rose, *Frag.* 375).

πατρὸς πατήρ: MS. πατηρ πατρος, but a dot and a line placed above each of these words indicate that they are to be transposed.

ἡρία: cf. Dem. *in Eubul.*, p. 1319, οἰκεῖοι τινες εἶναι μαρτυροῦσιν αὐτῷ; πανύ γε, πρώτον μὲν γε τέτταρες ἀνεψιοί, εἰτ' ἀνεψιαδοῦς, εἰδὲ οἱ τὰς ἀνεψιας λαβόντες αὐτῶν, εἴτα φράτερες, εἰτ' Ἀπόλλωνος πατρῷοι καὶ Διὸς ἔρκειον γεννῆται, εἰδὲ οἱ ἡρία ταῦτα, εἰδὲ οἱ δημόται κ.τ.λ. The present passage confirms the emendation ἡρία for ἱερά in *Dinarch. contr. Arist.* p. 107, ἀνακρίναντες τοὺς τῶν κοινῶν τι μέλλοντας διοικεῖν, τί ἔσται

ποῦ ταῦτα, ἔπειτα γονέας εἰ εὑ ποιεῖ [καὶ] τὰ τέλη τελεῖ, καὶ τὰς στρατείας εἰ ἐστράτευται. ταῦτα δ' ἀνερώτησας, κ[ά]λει, φησίν, τούτων τοὺς μάρτυρας. ἔπειδὰν δὲ παρασχῆται τοὺς μάρτυρας ἐπερωτᾶ, τούτου βούλεται τις κατηγορεῖν; καν μὲν ἡ τις κατήγορος, δοὺς κατηγορίαν καὶ ἀποδογίαν, οὕτω δίδωσιν ἐν μὲν τῇ βουλῇ τὴν ἐπιχειροτονίαν, ἐν δὲ τῷ δικαστηρίῳ τὴν ψῆφον· ἐὰν δὲ μηδεὶς βούληται κατηγορεῖν, εὐθὺς δίδωσι τὴν ψῆφον· καὶ πρότερον μὲν εἰς ἐνέβαλλε τὴν [ψ]ῆφον, νῦν δὲ ἀναγκὴ πάντας. ἔστι δὲ ψηφίζεσθαι περὶ αὐτῶν, ἵνα ἂν τις πονηρὸς ὁν ἀπαλλάξῃ τοὺς κατηγόρους ἐπὶ τοῖς δικασταῖς γένηται τοῦτον ἀποδοκιμάσαι. δοκιμασθὲν δὲ τοῦτον τὸν οτρόπον, βαδίζουσι πρὸς τὸν λίθον ὑφ' [ῳ]· τὰ ταμεῖα ἐστίν, ἐφ' οὖ καὶ οἱ διαιτηταὶ ὀμόσαντες ἀποφαίνονται τὰς διαιτας καὶ οἱ μάρτυρες ἔξόμυννται τὰς μαρτυρίας. ἀναβάντες δὲ ἐπὶ τοῦτον ὀμνύονται δικαίως ἄρξειν καὶ κατὰ τοὺς νόμους, καὶ δῶρα μὴ λήψεσθαι τῆς ἀρχῆς ἔνεκα, καν τι λάβωσιν ἀντὸν ἴδιον τρέπον, εἰ γονέας εὑ ποιεῖ, εἰ τὰς στρατείας ὑπὲρ τῆς πόλεως ἐστράτευται, εἰ ἵερὰ πατρῷα ἐστιν, εἰ τὰ τέλη τελεῖ.

βούλεται: MS. βούλευται.

πρὸς τὸν λίθον: cf. *Harpocrateion* (s.v. λίθος), ἐοίκασι δὲ Ἀθηναῖοι πρὸς τινὶ λίθῳ τοὺς ὄρκους ποιεῖσθαι, ὡς Ἀριστοτέλης ἐν τῇ Ἀθηναίων πολιτείᾳ (Rose, *Frag.* 377).

ταμεῖα: MS. ταμι.

ὅμνυονται κ.τ.λ.: the passage in Pollux (VIII. 86) quoted above continues ἐπηρώτα δὲ ἡ βουλή, ὅμνυον δὲ οὗτοι πρὸς τῇ βαριλεώρ στοῦ, ἐπὶ τοῦ λίθου ὑφ' φ τὰ ταμεῖα, συμφυλάξειν τοὺς νόμους καὶ μὴ δωροδοκήσειν ἡ χρυσοῦν ἀνδριάντα ἀποτίσαι. εἴτα ἐπεῦθεν εἰς ἀκρόπολιν ἀνελθόντες ὅμνυον ταῦτα. Further, in the excerpts from Heraclides περὶ πολιτείας Ἀθηναίων (cf. Rose, ed. 1886, *Frag.* 611), which was evidently an epitome of Aristotle, we have the sentence εἰσὶ δὲ καὶ ἔννέα ἄρχοντες θεσμοθέται, οἱ δοκιμασθέντες ὅμνύονται δικαίως ἄρξειν καὶ δῶρα μὴ λήψεσθαι ἡ ἀνδριάντα χρυσοῦν ἀναβήσειν.

δριάντα ἀναθήσειν χρυσοῦν. ἐντεῦθεν δὲ ὁ ὀμόσαντες εἰς ἀκρόπολιν βαδίζουσιν καὶ πάλιν ἐκεῖ ταῦτα ὅμνύουσι, καὶ μετὰ ταῦτα εἰς τὴν ἀρχὴν εἰσέρχονται.

56. Λαμβάνουσι δὲ καὶ παρέδρους ὁ τε ἄρχων καὶ ὁ βασιλεὺς καὶ ὁ πολέμαρχος δύο ἐκάτερος οὓς ἐὰν βούληται, καὶ οὗτοι δοκιμάζονται ἐν τῷ δικαστηρίῳ πρὶν παρεδρεύειν, καὶ εὐθύνας διδόασιν ἐπὰν παρεδρεύσωσιν. καὶ ὁ μὲν ἄρχων εὐθὺς εἰσελθὼν πρῶτον μὲν κηρύττει ὅσα τις εἶχεν πρὶν αὐτὸν εἰσελθεῖν εἰς τὴν ἀρχὴν, ταῦτ' ἔχειν καὶ κρατεῖν μέχρι ἀρχῆς τέλους. ἔπειτα χορηγοὺς τραγῳδοῖς καθίστησι τρεῖς ἐξ ἀπάντων Ἀθηναίων τοὺς πλουσιωτάτους· πρότερον δὲ καὶ κωμῳδοῖς καθίστη πέντε, νῦν δὲ τούτοις αἱ φυλαὶ φέρουσιν. ἔπειτα παραλαβὼν τοὺς χορηγοὺς τοὺς ἐνηνεγμένους ὑπὸ τῶν φυλῶν εἰς Διονύσια ἄνδρασιν καὶ παισὶν καὶ κωμῳδοῖς, καὶ εἰς Θαργήλια ἄνδρασιν καὶ παισὶν (εἰσὶ δὲ οἱ μὲν εἰς Διονύσια κατὰ φυλάς, εἰς δὲ) Θαργήλια δυεῖν φυλαῖν εἰς· παρέχει δὲ ἐν μέρει

56. *Λαμβάνουσι . . . παρεδρεύσωσιν*: Harpocration (*s.v. πάρεδρος*) quotes this passage as from Aristotle ἐν τῇ Ἀθηναίων πολιτείᾳ, with the exception that he (or his MSS.) omits the words καὶ ὁ βασιλεὺς (Rose, *Frag.* 389). That the king archon had two πάρεδροι as well as the archon and the polemarch is confirmed by Pollux (VIII. 92).

πέντε: in the fifth century the number of competitors admitted in comedy was three, as in tragedy; but at the beginning of the fourth century it was raised to five (Haigh, *Attic Theatre*, pp. 30, 31).

ἄνδρασιν καὶ παισὶν: these are the choruses for the dithyrambic competitions, in which the tribes competed against one another.

Θαργήλια: the dithyrambic chorus for men at this festival is mentioned by Lysias (*De Dono*, p. 161), and that for boys, as well as the fact that two tribes combined to provide the choruses at this festival, by Antiphon (*De Chor.* p. 142). As to the duties of the archon in respect of the Thargelia, Pollux (VIII. 89) says δὲ ἄρχων διατίθει μὲν Διονύσια καὶ Θαργήλια μετὰ τῶν ἐπιμελητῶν, and the Lex.

έκατέρα τῶν φυλῶν τούτοις), τὰς ἀντιδόσεις ποιεῖ καὶ τὰς σκήψεις εἰσ[άγει ἐά]ν τις η λε η π[ρὸς] ἔτερον ταύτην τὴν ληιτουργίαν] [έ]τέραν ληιτουργίαν καὶ τῶν χρόνων αὐτῷ . . . ειας μὴ ἔξ ἔτη μὴ γεγονέναι· δεῖ γὰρ τὸν τοῖς παι[σὶν χορη]γοῦντα ὑπὲρ τετταρά[κον]τα ἔτη γεγονέναι. καθίστησι δὲ καὶ εἰς Δῆλον χορηγοὺς καὶ ἀρχιέρεω[ν τὸν τ]ῷ τριακοντορίῳ τῷ τοὺς ἡιθέους ἄγοντι. πομπῶν δὲ ἐπιμελεῖτο [τῆς τε] τῷ Ἀσκληπίῳ γινομένης ὅταν οἰκουρῶσι μύ[σ]ται, καὶ τῆς Διονυσίων τῶν [μεγά]λων μετὰ τῶν ἐπιμελητῶν, οὓς πρότερον μὲν ὁ δῆμος ἔχειροτόνει δέκα ὄντας, [καὶ τὰ] εἰς τὴν πομπὴν ἀναλώματα παρ' αὐτῶν ἦν[εγκ]ον, νῦν δὲ ἔνα τῆς φυλ[ῆς ἐκά]στης κληροὶ καὶ δίδωσιν εἰς τὴν κατασκευὴν ἔκατὸν μνᾶς. ἐπιμελ[εῖται] δὲ καὶ τῆς εἰς Θαργήλια καὶ τῆς τῷ Διὶ τῷ Σωτῆρι. διοικεῖ δὲ καὶ τὸν ἀγῶνα τῷ[ν Διον]υσίων οὗτος καὶ τῶν Θαργηλίων. ἐορτῶν μὲν οὖν ἐπιμελεῖται τούτων. γραφαὶ δ[ὲ] καὶ δίκαιαι λαγχά-

rhet. Cantabrig. (p. 670, 4) ἔχει δὲ ἐπιμέλειαν χορηγοὺς καταστῆσαι εἰς Διονύσια καὶ Θαργήλια, ἐπιμελεῖται δὲ καὶ τῶν εἰς Δῆλον καὶ τῶν ἀλλαχόσε πεμπομένων Ἀθήνηθεν χορῶν (Rose, *Frag.* 381).

τὰς σκήψεις: for τὰς the abbreviation for τῆς seems to have been written first, and then an *a* has been inserted without the corrector perceiving that another *s* was necessary, so that the words stand in the MS. as τασκήψεις.

ληιτουργίαν: written λειτουργίαν, but corrected to ληιτ-, which is the form employed elsewhere in the MS. Cf. ch. 27 and note.

δεῖ γὰρ κ.τ.λ.: Harpocration (*s. v. ὅτι νόμος*) refers to this passage, ὅτι νόμος ἔστιν ὑπὲρ μὲν ἔτη γενόμενον χορηγεῖν παισὶν Αἰσχίνης τε ἐν τῷ κατὰ Τιμάρχου φησὶ καὶ Ἀριστοτέλης ἐν τῇ Ἀθηναίων πολιτείᾳ (Rose, *Frag.* 431).

γραφαὶ δὲ κ.τ.λ.: a summary of the following passage is given by Pollux (VIII. 89), δίκαιαι δὲ πρὸς αὐτὸν λαγχάνονται κακώσεως, παρανοίας,

νονται πρὸς αὐτόν, ἀς ἀνακρίνας εἰτ' [εἰς δι]καστήριον εἰσά[γει], νεῶν κακώσεως (αῦται δέ εἰσιν ἀξέντιοι τῷ βουλομένῳ δ[ιώκ]ειν), ὄρφανῶν κ[ακώ]σεως (αῦται δ' εἰσὶ κατὰ τῶν ἐπιτρόπων), ἐπικλήρου κακώσε[ως] (αῦται δέ εἰσι κατὰ [τῶν] ἐπιτρόπων καὶ τῶν συνοικούντων), οἴκου ὄρφανικοῦ κακώσεως (εἰσὶ δὲ καὶ [αῦται κατὰ τῶν] ἐπιτρό[π]ων), παρανοίας, ἐάν τις αἰτιάται τινα παρανοοῦντα τ[ὰ] ἑαυτοῦ κτήματα ἄ]πολλύν[αι], εἰς δατητῶν αἴρεσιν, ἐάν τις μὴ θέλῃ [κ]οινὰ [τὰ ὅντα νέμεσθαι], εἰς ἐπιτροπῆς κατάστασιν, εἰς ἐπιτροπῆς διαδικασίαν, εἰ [πλείονες τῆς αὐτῆς θέλωσ]ιν ἐπιτροπον αὐτὸν ἐγγράψαι, κλήρων καὶ ἐπικλήρων ἐπι[δικασίαι]. ἐπιμελεῖται δὲ καὶ τῶν [ὄρφ]ανῶν καὶ τῶν ἐπικλήρων καὶ τῶν γυναικῶν ὅσαι ἀν τελευ[τήσαντος τοῦ ἀνδρ]ὸς σκή[πτω]νται κύειν· καὶ κύριός ἐστι τοῖς ἀδικοῦσιν ἐπιβάλ[λειν] ζημίαν ἡ ἄγειν εἰς] τὸ δικα[στήριον. μισθοῖ δὲ καὶ τοὺς οἴκους τῶν ὄρφανῶν καὶ τῶν ἐπι[κλήρων] α καὶ δ[ατη]τῆς γένηται καὶ τὰ ἀποτιμήματα λαμβάν[ει], αν μ . . [δι]δωσι τοῖς παισιν

εἰς δατητῶν αἴρεσιν, ἐπιτροπῆς ὄρφανῶν, ἐπιτρόπων καταστάσεις, κλήρων καὶ ἐπικλήρων ἐπιδικασίαι. ἐπιμελεῖται δὲ καὶ τῶν γυναικῶν αἱ ἀν φῶσιν ἐπ' ἀδρὸς τελευτῆ κύειν, καὶ τοὺς οἴκους ἐκμισθοῖ τῶν ὄρφανῶν (Rose, *Frag.* 381). Under the head of εἰς ἐμφανῶν κατάστασιν Harpocration says, δ δὲ Ἀριστοτέλης ἐν τῇ Ἀθηναίων πολιτείᾳ πρὸς τὸν ἄρχοντά φησι λαγχάνεσθαι ταύτην τὴν δίκην, τὸν δὲ ἀνακρίνοντα εἰσάγειν εἰς τὸ δικαστήριον (*Frag.* 382).

εἰς δατητῶν αἴρεσιν: Harpocration explains the phrase, and refers to Aristotle as using it ἐν τῇ Ἀθηναίων πολιτείᾳ. The Lex. rhet. Cantabrig. quotes Aristotle nearly verbally, ἐπὶ τῶν διανεμόντων τὰ κοινά τισιν, ὡς Ἀριστοτέλης ἐν τῇ Ἀθηναίων πολιτείᾳ, δίκαιοι λαγχάνονται πρὸς τὸν ἄρχοντα ἀλλα τινές καὶ εἰς δατητῶν αἴρεσιν, ὅταν μὴ θέλῃ κοινὰ τὰ ὅντα νέμεσθαι (Rose, *Frag.* 383). The M.S. reads διαιτητῶν, but these quotations make it practically certain that it is merely a scribe's blunder.

τὸν σῖτον οὗτος εἰσπράττει. καὶ οὗτος μὲν οὖν ἐπιμελεῖται τούτων.

57. [Ο δέ] βασιλεὺς πρῶτον μὲν μυστηρίων ἐπιμελεῖται μετὰ τῶν ἐπιμελητῶν οὓς ὁ δῆμος ἔχει ειροτόνει, δύο μὲν ἔξι Ἀθηναίων ἀπάντων, ἕνα δ' [Εὔμολπιδῶν, ἕνα] δὲ Κηρύκων. ἔπειτα Διουνυσίων τῶν ἐπὶ Ληναίων ταῦτα δ' ἔστι . . .

[ταύτην] μὲν οὖν πομπὴν κοινῇ πέμπουσιν ὁ τε [Col. 29.] βασιλεὺς καὶ οἱ ἐπιμεληταί· τὸν δὲ ἀγῶνα διατίθησιν ὁ βασιλεὺς. τίθησι δὲ καὶ τοὺς τῶν λαμπάδων ἀγῶνας ἀπαντας· ὡς δ' ἔπος εἴπειν καὶ τὰς πατρίους θυσίας διοικεῖ οὗτος πάσας. γραφαὶ δὲ λαγχάνονται πρὸς αὐτὸν ἀσεβείας, καν τις ἱερώσυνης ἀμφισβήτη προστιμά· [διαδικάζει δὲ

σίτον: Harpocration (s.v.) says σίτος καλεῖται ἡ διδομένη πρόσοδος εἰς τροφὴν ταῖς γυναιξὶν ἢ τοῖς ὄφρανοις, ὡς ἔξι ἄλλων μαθεῖν ἔστι καὶ ἐκ τοῦ Σόλωνος α' ἄξονος καὶ ἐκ τῆς Ἀριστοτέλους Ἀθηναίων πολιτείας (Rose, *Frag.* 384). As women and children were under the archon's special care, it is tolerably certain that this is the passage referred to, but there is nothing in the words of Harpocration to suggest how to fill up the lacuna consistently with the visible remains.

57. 'Ο δέ βασιλεὺς . . . Κηρύκων: quoted by Harpocration, s.v. ἐπιμελητῆς τῶν μυστηρίων (Rose, *Frag.* 386). The MSS. of Harpocration insert ἔξι before Εὔμολπιδῶν and ἐκ before Κηρύκων, but the latter is certainly not in the present MS. and therefore presumably not the former.

Διουνυσίων τῶν ἐπὶ Ληναίων: Pollux (VIII. 90) says δέ δὲ βασιλεὺς μυστηρίων προέστηκε μετὰ τῶν ἐπιμελητῶν καὶ Δημαίων καὶ ἀγώνων τῶν ἐπὶ λαμπάδι, καὶ τὰ περὶ τὰς πατρίους θυσίας διοικεῖ (Rose, *Frag.* 385).

γραφαὶ δὲ κ.τ.λ.: the passage of Pollux just quoted gives a summary of the present section, δίκαι δὲ πρὸς αὐτὸν λαγχάνονται ἀσεβείας καὶ ἱερώσυνης ἀμφισβήτησεος. καὶ τοῖς γένεσι καὶ τοῖς ἱερεῦσι (MSS. ἱεροῖς) πᾶσιν αὐτὸς δικάζει, καὶ τὰς τοῦ φόνου δίκαια εἰς Ἀρειον πάγον εἰσάγει καὶ τὸν στέφανον ἀποθέμενος σὺν αὐτοῖς δικάζει. προαγορεύει δὲ τοῖς ἐν αἰτίᾳ ἀπέχεσθαι μυστηρίων καὶ τῶν ἄλλων νομίμων. δικάζει δὲ καὶ τὰς τῶν ἀψύχων δίκας. The Lex. Seg. (p. 219, 14) quotes verbally from γραφαὶ το πρὸς τοῦτον, though without acknowledging the source (Rose, *Frag.* 385).

προστιμά: the reading in the MS., which is very faint, rather resembles προς τύπα, but it seems better to follow the quotation in the Lex. Seg.

καὶ τοῖς γένεσι καὶ τοῖς ἱερεῦσι τὰς ἀμφισβητήσεις τὰς ὑπέρ [τῶν γε]ρῶν ἀπάσας οὗτος. λαγχάνονται * δὲ καὶ αἱ τοῦ φόνου δίκαι πάσαι πρὸς τοῦτον, καὶ ὁ προαγορεύων εἴργεσθαι τῶν νομίμων οὗτός ἐστιν. εἰσὶ [δὲ φόνου] δίκαι καὶ τραύματος· ἀν μὲν ἐκ προνοίας ἀποκτείνῃ, ἐγγρ[άφεται] ἐν Ἀρείῳ πάγῳ, καὶ φάρμακον ἔὰν ἀποκτείνῃ δούς, καὶ πυρκαιᾶς· [ταῦ]τα δὲ ή βουλὴ μόνα δικάζει· τῶν δὲ ἀκούσιων καὶ βουλεύσεως κὰν οἰκέτην ἀποκτείνῃ τις ή μέτοικον ή ξένον, [ἐν τῷ ἐπὶ Π]α[λλ]αδίῳ ἔὰν δὲ ἀποκτεῖναι μέν τις ὁμολογῇ, φῆ δὲ κατὰ τοὺς νόμους, ο[ἰον] μοιχὸν λαβὼν ή ἐν πολέμῳ ἀγνοήσας ή ἐν ἄθλῳ ἀγωνιζόμενος, το[ύτῳ ἐν τῷ ἐπὶ] Δελφινίῳ δικάζουσιν· ἔὰν δὲ φεύγων φυγὴν ὧν αἰδεσις ἐστὶν

ἀπάσας οὗτος: omitted in the Lex. Seg.

Ἄν μὲν ἐκ προνοίας κ.τ.λ.: Pollux (VIII. 117) evidently draws from this passage. "Αρειος πάγος" ἐδίκαζε δὲ φόνου καὶ τραύματος ἐκ προνοίας καὶ πυρκαιᾶς καὶ φαρμάκων ἔὰν τις ἀποκτείνῃ δούς.

τῶν δὲ ἀκούσιων καὶ βουλεύσεως: Harpocration (s. v. ἐπὶ Παλλαδίῳ), δικαστήριον ἐστιν οὗτον καλούμενον, ὡς καὶ Ἀριστοτέλης ἐν Ἀθηναίων πολιτείᾳ, ἐν φ δικάζουσιν ἀκούσιον φόνου καὶ βουλεύσεως οἱ ἐφέται (Rose, *Frag.* 417). The ἐφέται are also mentioned in this connection by Hesychius and Eustathius, but Aristotle does not appear to have noticed them, unless the MS. is faulty here. Pollux too (VIII. 118) does not refer to them. Harpocration also refers in another place (s. v. βουλεύσεως) to Aristotle as stating that trials of this description took place in the Palladium (Rose, *Frag.* 418).

ἐπὶ Δελφινίῳ: Harpocration (s. v.), δικάζονται δὲ ἐνταῦθα οἱ διμολογοῦντες μὲν ἀπεκτονένται, δικαίως δὲ πεποιηκένται τοῦτο λέγοντες, ὡς Δημοσθένης ἐν τῷ κατ' Ἀριστοκράτους δηλοῖ καὶ Ἀριστοτέλης ἐν τῇ Ἀθηναίων πολιτείᾳ (Rose, *Frag.* 419). Pollux (VIII. 119), Suidas, Eustathius, etc., say substantially the same.

αἰδεσις: some correction has been made in the MS., but it is not clear what is intended. It appears to be a σ, written above the line over the δ; but it may be meant for a ρ, in which case the corrector has altered the rare word αἰδεσις into one more familiar to him, αἴρεσις, which, however, makes nonsense of the passage. The corresponding

[αἰτίαν προσλαβῆ] κτεῖναι ἡ τρῶσαι τινα, τούτῳ δ' ἐν Φρεαττοῖ δικάζου[σι· καὶ ὁ μὲν ἀπολογο]εῖται προσορμισάμενος ἐν πλοίῳ, δικάζουσι δ' οἱ λαχόντες τα[ῦτα ἐφέται] πλὴν τῶν ἐν Ἀρείῳ πάγῳ γιγνομένων· εἰσάγει δ' ὁ βασιλεὺς καὶ δικάζο[υσιν] . . . αἱ[ο]ι καὶ ὑπαίθριοι. καὶ ὁ βασιλεὺς ὅταν δικάζῃ περιαιρεῖται τὸν στέφανον. ὁ δὲ τὴν αἰτίαν ἔχων, τὸν μὲν ἄλλον χρόνον εἰργεται τῶν ἱερῶν καὶ οὐδεὶς τὴν α[ἰτί]αν δ[ύναται] ἐμβαλεῖν αὐτῷ τότε δ' εἰς τὸ ἱερὸν εἰσελθὼν ἀπολογεῖται, ὅταν δέ [τ]ις εἴπῃ τὸν ποιήσαντα τῷ δράσαντι λαγχάνει. δικάζει δ' ὁ βασιλεὺς καὶ οἱ φυλοβασιλεῖς καὶ τὰς τῶν ἀψύχων καὶ τῶν ἄλλων ζώων.

58. Ο δὲ πολέμαρχος ποιεῖται θυσίας τὴν τε

phrase in Demosthenes (*in Aristocr.* p. 645), where he is explaining the character of the court ἐν Φρεαττοῖ, runs ἐπ' ἀκονσίῳ φόνῳ πεφευγώς, μήπω τῶν ἐκβαλόντων αὐτὸν ἥθεσμένων. The meaning therefore is that the party has committed an involuntary homicide, but has to remain in exile during the resentment of the relatives of the deceased. On their relenting he might return (which would not be the case if the homicide was intentional, under which circumstances there would not be *αἰδεστις*), but at the time supposed they have not yet relented and therefore he is still in exile.

Φρεαττοῖ : MS. φρεατον.

ἐφέται : cf. Harpocration (s. v. ἐφέται), οἱ δικάζοντες τὰς ἐφ' αἴματι κρίσεις ἐπὶ Παλλαδίῳ καὶ ἐπὶ Πρυτανείῳ καὶ ἐπὶ Δελφινίῳ καὶ ἐν Φρεαττοῖ ἐφέται ἐκαλούντο.

περιαιρεῖται τὸν στέφανον : cf. the quotation from Pollux (VIII. 90) given above, in note on *γραφαῖ* δὲ κ.τ.λ.

τὴν αἰτίαν : the reading is doubtful, as the abbreviation for *τῆς* seems to have been written in place of that for *τὴν*, and the letters are very faint.

ὅταν δέ τις εἴπῃ : the reading is doubtful, as the letters are much rubbed, and the sense of the passage remains rather obscure.

58. Ο δὲ πολέμαρχος κ.τ.λ. : Pollux (VIII. 91) paraphrases the passage thus, δ δὲ πολέμαρχος θύει μὲν Ἀργέμῳ ἀγροτέρᾳ καὶ τῷ Ἐνναλίῳ, διατίθησι δὲ τὸν ἐπιτάφιον ἀγῶνα τῶν ἐν πολέμῳ ἀποθανόντων, καὶ τοῖς περὶ Ἀρμόδιον ἐναγίζει. δίκαι δὲ πρὸς αὐτὸν λαγχάνονται μετοίκων,

τῇ Ἀρτέμιδι τῇ ἀγροτέρᾳ καὶ τῷ Ἐνναλίῳ, διατίθησι δὲ ὑγῶνα τὸν ἐπιταφίον τοῖς τετελευτηκόσιν ἐν τῷ πολέμῳ, καὶ Ἀρμοδίῳ καὶ Ἀριστογείτονι ἐμαγίσματα ποιεῖ. δίκαι δὲ λαγχάνονται πρὸς αὐτὸν ἴδιαι μὲν αἱ τε τοῖς μετοίκοις καὶ τοῖς ἴστοτελέσι καὶ τοῖς προξένοις γιγνόμεναι. καὶ δεῖ τοῦτον λαβόντα καὶ διανείμαντα δέκα μέρη, τὸ λαχὸν ἐκάστη τῇ φυλῇ μέρος προσθεῖναι, τοὺς δὲ τὴν φυλὴν δικάζοντας το[is] διαιτηταῖς ἀποδοῦναι. αὐτὸς δὲ εἰσάγει δίκας τὰς τε τοῦ ἀ[ποστασ]ίου καὶ ἀπροστασί[ου] καὶ κλήρων καὶ ἐπικλήρων τοῖς μετοίκοις, καὶ τάλλον δύστητος τοῖς πολίταις ὁ ἄρχων ταῦτα τοῖς μετοίκοις ὁ πολέμαρχος.

59. Οἱ δὲ θεσμοθέται πρῶτον μὲν τοῦ προγράφαι τὰ δικαστήριά εἰσι κύριοι τίσιν ἡμέραις δεῖ δικάζειν, [ἐπ]ε[ιτα] τοῦ δοῦναι ταῖς ἄρχαις· καθότι γὰρ ἀνούσιοι δῶσιν, κατὰ τοῦτο χρῶνται. ἔτι δὲ τὰς

ἴστοτελῶν, προξένων (Rose's addition ἔνων is shown by the text of Aristotle to be unnecessary). καὶ διανέμει τὸ λαχόν, ἐκαστῇ φυλῇ τι μέρος, τὸ μὲν διαιτηταῖς παραδίδούς, εἰσάγων δὲ δίκας ἀποστασίου, ἀπροστασίου, κλήρων μετοίκων (Rose, *Frag.* 387).

Ἐνναλίῳ: this appears to have been altered in the MS. to Ἐννώ, but unnecessarily, as the passage just quoted from Pollux shows.

τοῖς τετελευτηκόσιν: the MS. prefixes καί, but it must be a mere clerical blunder.

Ἀριστογείτονι: MS. Αριστογείτονι, but in ch. 18 the more correct form is used.

αὐτὸς δὲ εἰσάγει: Harpocration (*s. v. πολέμαρχος*) quotes this passage verbally, introducing it with the words Ἀριστοτέλης δέ ἐν τῇ Ἀθηναίων πολιτείᾳ διεξελθὼν δύτα διοικεῖ δὲ πολέμαρχος, πρὸς ταῦτα φησιν “αὐτὸς τε εἰσάγει . . . δὲ πολέμαρχος.” The first part, as far as ἐπικλήρων, is again quoted *s. v. ἀποστασίου*, with the difference that οὗτος δέ stands in place of αὐτός τε (Rose, *Frag.* 388).

59. Οἱ δὲ θεσμοθέται: Pollux (VIII. 87, 88) quotes the whole of this passage almost verbally, as far as τὰ ψευδομαρτύρια ἐξ Ἀρείου πάγου, and Harpocration (*s. v. θεσμοθέται*) says δέ ἐν τῇ Ἀθηναίων πολιτείᾳ διέρχεται δύτα οὗτοι πράττουσιν (Rose, *Frag.* 378).

εἰσαγγελίας εἰσαγγέλλοντον εἰς τὸν δῆμον καὶ τὰς καταχειροτονίας καὶ τὰς προβολὰς ἀπάσα[ς] εἰσάγοντον οὐ[τοι] καὶ γραφὰς παρανόμων καὶ νόμον μὴ ἐπιτήδειον θεῖναι καὶ προεδρικὴν καὶ ἐπιστατικὴν καὶ στρατηγοῖς εὐθύνας. εἰσὶ δὲ καὶ γραφαὶ πρὸς αὐτοὺς ὅν παράστασις τίθεται, ξενίας καὶ δωροξενίας, ἃν τις δῶρα δοὺς ἀποφυγῇ τὴν ξενίαν, καὶ συκοφαντίας καὶ δώρων καὶ ψευδεγγραφῆς καὶ ψευδοκλητείας καὶ βουλεύσεως καὶ ἀγραφίου καὶ μοιχείας. εἰσάγοντον δὲ καὶ τὰς δοκιμασ[ία]ς ταῖς ἀρχαῖς ἀπάσαις καὶ τοὺς ἀπεψηφισμένους ὑπὸ τῶν δημοτῶν καὶ τὰς καταγνώσεις [τ]ὰς ἐκ τῆς βουλῆς. εἰσάγοντοι δὲ καὶ δίκας ιδίας, ἐμπορικὰς καὶ μεταλλικὰς καὶ δούλων, ἃν τις τὸν ἐλεύθερον κακῶς λέγῃ. καὶ ἐπικληροῦσι ταῖς ἀρχαῖς πάντα δικαστήρια τὰ ἴδια καὶ τὰ δημόσια· καὶ τὰ σύμβολα τὰ πρὸς τὰς πόλεις οὗτοι κυροῦσι, καὶ τὰς δίκας τὰς ἀπὸ τῶν συμβόλων εἰσάγοντοι, καὶ τὰ ψευδομαρτύρια ἐ[ξ] Ἀρείου πάγου.

εἰσὶ δὲ καὶ γραφαὶ . . . ξενίαν : this passage is quoted in the Lex. rhet. Cantabrig., being introduced by the words Ἀριστοτέλης ἐν τῇ Ἀθηναίων πολιτείᾳ φησὶ περὶ τῶν θεσμοθετῶν διαλεγόμενος. There is, however, an addition, for after δωροξενίας occur the words ξενίας μὲν ἐάν τις κατηγορήται ξένος εἴναι, δωροξενίας δὲ ἐάν τις δῶρα κ.τ.λ. The repetition of the words ξενίας and δωροξενίας would make it easy to suppose that the clause ξενίας . . . δωροξενίας δέ had accidentally dropped out of the present MS. of Aristotle; but Harpocratian (s. v. παράστασις and δωροξενία) proves that this is not the case (or else that his copy was equally deficient) by twice quoting the passage exactly as it stands in the text. Harpocratian also (ll. cc. and s. v. ἡγεμονία δικαστηρίου) quotes the other classes of cases down to μοιχείας (Rose, *Frag.* 379).

τὰ σύμβολα : it is perhaps to this passage that the Lex. Seg. refers (s. v. ἀπὸ συμβόλων δικάζει), Ἀθηναῖοι ἀπὸ συμβόλων δίκαιον τοῖς ὑπηκόοις. οὕτως Ἀριστοτέλης (Rose, *Frag.* 380). Harpocratian explains the word σύμβολα as τὰς συνθήκας ἃς ἀν ἀλλήλαις αἱ πόλεις θέμεναι τάττωσι τοῖς πολίταις ὅστε διδόναι καὶ λαμβάνει τὰ δίκαια.

τοὺς δὲ δικαστὰς κληροῦσι πάντας οἱ ἐννέα ἄρχοντες, δέκατος δὲ ὁ γραμματεὺς ὁ τῶν θεσμοθετῶν, τοὺς τῆς αὐτοῦ φυλῆς ἔκαστος. τὰ μὲν οὖν περὶ τοὺς ὅτι ἄρχοντας τοῦτον ἔχει τὸν τρόπον.

60. Κληροῦσι δὲ καὶ ἀθλοθέτας δέκα [ἄ]νδρας, ἔνα τῆς φυλῆς ἔκάστης. οὗτοι δὲ δοκιμασθέντες ἄρχοντι τέτταρ[α ἔ]τη, καὶ διοικοῦσι τήν τε πομπὴν τῶν Παναθηναίων καὶ τὸν ἀγῶνα τῆς μουσικῆς καὶ τὸν γυμνικὸν ἀγῶνα καὶ τὴν ἵπποδρομίαν, καὶ τὸν πέπλον ποιοῦνται καὶ τοὺς ἀμφορεῖς ποιοῦνται μετὰ τῆς βουλῆς, καὶ τὸ ἔλαιον τοῖς ἀθληταῖς ἀποδιδόσι. συλλέγεται τὸ δὲ ἔλαιον [ά]πὸ τῶν μοριῶν· εἰσπράττει δὲ τοὺς τὰ χωρία κεκτημένους ἐν οἷς αἱ μορίαι εἰσὶν ὁ ἄρχων, τρία ἡμικοτύλια ἀπὸ τοῦ στελέχους ἔκάστου. πρότερον δὲ ἐπώλει τὸν κάρπον ἡ πόλις· καὶ εἴ τις ἔξορύξειεν ἔλαιαν μορίαν ἡ κατάξειεν, ἔκρινεν ἡ ἔξι Ἀρείου πάγου βουλή, καὶ

πάντας : it may be suspected that the right reading here is πάντες, this duty which belonged to all the nine archons being contrasted with the others mentioned in this chapter, which apply only to the six thesmothetae; while as an epithet of δικαστάς it has no force.

60. ἀθλοθέτας : cf. Pollux (VIII. 93), ἀθλοθέται δέκα μέν εἰσιν, εἰς κατὰ φυλήν, δοκιμασθέντες δὲ ἄρχοντι τέτταρα ἔτη, ἐπὶ τῷ διαθεῖναι τὰ Παναθηναῖα, τόν τε μουσικὸν καὶ τὸν γυμνικὸν καὶ τὴν ἵπποδρομίαν.

τὸ ἔλαιον : the scholiast on *Oed. Col.* 701 refers to this passage, δὲ Ἀριστοτέλης καὶ τοῖς νικήσασι τὰ Παναθηναῖα ἔλαιον τοῦ ἐκ τῶν μοριῶν γυνομένου δίδοσθαι φησιν (Rose, *Frag.* 345).

τρία : MS. τρι, as if the writer had intended to make one word of it, τριημικοτύλιον.

ἐπώλει : the third and fourth letters are a little doubtful. If this is the right reading, the meaning is that formerly the state managed the cultivation of the sacred olives itself and sold what was not required of the oil, whereas in later times the olives were the property of private individuals, subject to the obligation to furnish a certain amount of oil to the state, for the purposes described.

εὶ καταγνοίη, θανάτῳ τοῦτον ἔζημίουν. ἐξ οὐδὲ τὸ ἔλαιον ὁ τὸ χωρίον κεκτημένος ἀποτίνει, ὁ μὲν [Col. 30.] νόμος ἔστιν, ἡ δὲ κρίσις καταλέγεται. τὸ δὲ ἔλαιον ἐκ τοῦ κλήματος, οὐκ ἀπὸ τῶν στελεχῶν, ἔστι τῇ πόλει. συλλέξας οὖν ὁ ἄρχων τὸ ἐφ' ἑαυτοῦ γιγνόμενον, τοῖς ταμίαις παρ[αδίδ]ωσιν εἰς Ἀκρόπολιν, καὶ οὐκ ἔστιν ἀναβῆναι πρότερον εἰς [Ἄρε]ιον πάγον πρὶν ἀν ἅπαν παραδῷ τοῖς ταμίαις. οἱ δὲ ταμίαι τὸν μὲν ἄλλον χρόνον τηροῦσιν ἐν Ἀκρόπολει, τοῖς δὲ Παναθηναίοις ἀπομετροῦσι τοῖς ἀθλοθέταις, οἱ δὲ ἀθλοθέται τοῖς νικῶσι τῶν ἀγωνιστῶν, ἔστι γὰρ ἀθλα τοῖς μὲν τὴν μουσικὴν νικῶσιν ἀργύρια καὶ χρυσᾶ, τοῖς δὲ τὴν εὐανδρίαν ἀσπίδες, τοῖς δὲ τὸν γυμνικὸν ἀγῶνα καὶ τὴν ἵπποδρομίαν ἔλαιον.

61. Χειροτονοῦσι δὲ καὶ τὰς πρὸς τὸν πόλεμον ἀρχὰς ἀπάστας, στρατηγοὺς δὲ καὶ πρότερον μὲν ἀφ' *(έκάστης)* φυλῆς ἔνα, νῦν δὲ ἐξ ἀπάντων καὶ

πρὶν ἀν ἅπαν παραδῷ τοῖς ταμίαις : *i.e.* the archon could not take his seat in the Areopagus, at the end of his year of office, until he had paid over to the *ταμίαι* all the oil due for the year.

61. *στρατηγούς* : Harpocration (*s. v.*) mentions Aristotle's *Αθηναίων πολιτεία* as his authority for the fact that *οἱ καθ' ἔκαστον ἐνιαυτὸν χειροτονούμενοι στρατηγοὶ δέκα ἦσαν* (Rose, *Frag.* 390) ; and it is possible that the words *δὲ καὶ*, which are undoubtedly awkward as they stand, are a corruption of *δέκα*. Unless this is the case, Aristotle does not mention the total number of the strategi (except where he records the institution of the board in ch. 22) ; and this would be contrary to his invariable practice.

ἀφ' ἔκάστης φυλῆς : MS. *αφφυλῆς*, which is simply explained by supposing *έκάστης* to have been omitted accidentally.

νῦν δὲ ἐξ ἀπάντων : this clears up the doubt which has existed as to whether the strategi were elected one from each tribe or from the whole people without distinction of tribe. Plutarch (*Cim.* 8) speaks of them as elected by the former method at the time when Cimon

τούτους διατάττουσι τῇ χειροτονίᾳ, ἔνα μὲν ἐπὶ τοὺς ὄπλιτας, ὃς ἡγεῖται τῶν δῆμος τῶν ἀν ἔξιστι, ἔνα δὲ ἐπὶ τὴν χώραν ὃς φυλάττει, καν πόλεμος ἐν τῇ χώρᾳ γίνηται πολεμεῖ οὗτος δύο δὲ ἐπὶ τὸν Πειραιέα, τὸν μὲν εἰς τὴν Μουνυχίαν, τὸν δὲ εἰς τὴν ἀκτήν, οἱ τῆς Φ[υλής] λῆστροι ἐπιμελοῦνται καὶ τῶν ἐν Πει-

and his colleagues sat as judges in the dramatic contest at which Sophocles defeated Aeschylus (468 B.C.). On the other hand Pollux (VIII. 87) speaks of them as elected *ἐξ ἀπύντων*. Both statements are true, but of different periods, and Aristotle does not tell us when the change was made.

διατάττουσι: from this passage it appears that five of the strategi were assigned to special duties, while five were employed as occasion might demand. The five officers with specific posts are all referred to in various extant authorities, which are quoted below, but there has been nothing hitherto to show that the list was exhaustive, while there has been some reason to include one or two specific posts in addition which it now appears did not belong to the strategi.

ἔνα μὲν ἐπὶ τοὺς ὄπλιτας: MS. *οπλεῖτας*. The *στρατηγὸς* ἐπὶ τῶν ὄπλων is mentioned in the decree in Demosthenes *De Cor.* p. 238, and again p. 265, where he is coupled with ὁ ἐπὶ τῶν ἵππεων. The latter, however, is not called *στρατηγός*, and from the present passage it appears that he must have been one of the hipparchi. In *Philipp.* I. p. 47, Demosthenes complains of the inaction of the strategi, saying that except one, δν δι έκπέμψητε ἐπὶ τὸν πόλεμον (i.e. the *στρατηγὸς* ἐπὶ τοὺς ὄπλιτας), they all stay at home and do nothing but attend to sacrificial ceremonies. Schömann (*Ant. Jur. Publ.* p. 252) unnecessarily misrepresents this passage, as though Demosthenes had there mentioned a *στρατηγὸς* ἐπὶ τῶν ἵππεων and had coupled him with the *στρατηγὸς* ἐπὶ τῶν ὄπλων as going to war while the rest stayed at home. From several inscriptions (*C. I. G.* 186, 189, 191, 192) it appears that the *στρατηγὸς* ἐπὶ τῶν ὄπλων was the most important of the board of strategi, as his name is given with that of the archon eponymus to indicate the year.

ἔνα δὲ ἐπὶ τὴν χώραν: this officer is mentioned by Plutarch (*Phoc.* 32) as *στρατηγὸς* ἐπὶ τῆς χώρας.

εἰς τὴν Μουνυχίαν: cf. Deinarchus in *Philocl.* p. 108, *στρατηγὸς* ὑφ' ὑμῶν ἐπὶ τὴν Μουνυχίαν καὶ τὰ νεώρια κεχειροτονημένος.

εἰς τὴν ἀκτήν: in the Corpus Inscr. Graec. Nos. 178, 179 there is mention of a *στρατηγὸς* ἐπὶ τὴν χώραν τὴν παραλίαν, who is probably the officer here described as δ εἰς τὴν ἀκτήν rather than δ ἐπὶ τὴν χώραν.

Φυλής: it is very strange that Phyle should be placed under the

ραιεῖ· ἔνα δὲ ἐπὶ τὰς συμμορίας ὃς τούς τε τριηράρχους καταλέγει καὶ τὰς ἀντιδόσεις αὐτοῖς ποιεῖ καὶ τὰς διαδικασίας αὐτοῖς εἰσάγει· τοὺς δὲ ἄλλους πρὸς τὰ παρόντα πράγματα ἐκπέμπουσιν. ἐπιχειροτονία δὲ αὐτῶν ἐστὶ· κατὰ τὴν πρυτανείαν ἐκάστην, εἰ δοκοῦσιν καλῶς ἄρχειν· καν τινα ἀποχειροτονήσασιν, κρίνουσιν. ἐν τῷ δικαστηρίῳ, καν μὲν ἄλλῳ, τιμῶσιν ὃ τι χρὴ παθεῖν ἢ ἀποτίσαι, ἀν δὲ ἀποφυγῇ τὰ [λοιπὰ] ἄρχει. κύριοι δέ εἰσιν ὅταν ἡγῶνται καὶ δῆσαι τιν' ἀτακτοῦντα καὶ [κη]ρύξαι καὶ ἐπιβολὴν ἐπιβάλλειν· οὐκ εἰώθασι δὲ ἐπιβάλλειν. χειροτονοῦσι δὲ καὶ ταξιάρχους δέκα, ἔνα τῆς

strategi of Piraeus; but it does not seem possible to make anything else of the MS. It may, however, be suggested that the word is a corruption of φυλακῆς.

ἐπὶ τὰς συμμορίας: this officer is mentioned in one of the documents collected by Boeckh in his *Urkunden über das Seewesen des Attischen Staates*, xiv a. 215, p. 465, τῷ στρατηγῷ τῷ ἐπὶ τὰς συμμορίας ἡρημένῳ.

τοὺς δὲ ἄλλους: from the decrees in Demosthenes already quoted (*De Cor.* pp. 238, 265) Boeckh and Schömann gather that one of the strategi was known as ὁ ἐπὶ τῆς διοικήσεως. The officer there spoken of is not, however, actually called στρατηγός, and as Aristotle does not mention him here it may be concluded that, if the decrees are genuine, the ταμίας τῆς διοικήσεως is spoken of, and not one of the strategi.

ἐπιχειροτονία δ' αὐτῶν ἐστὶ κ.τ.λ.: cf. Pollux, VIII. 87, where he includes among the duties of the archons στρατηγὸν χειροτονεῖν ἐξ ἀπάντων καὶ καθ' ἐκάστην πρυτανείαν ἐπερωτᾶν εἰ δοκεῖ καλῶς ἄρχειν ἐκαστος· τὸν δὲ ἀποχειροτονηθέντα κρίνουσι.

ἄλῳ: MS. αλλωι, corrected apparently from αλλοι.

κηρύξαι: if this is the right reading (and it does not seem possible to read anything else), it must apparently mean that the general could publicly proclaim the name of any person misbehaving on military service. We can hardly suppose that he had an autocratic power of selling into slavery, which is another possible meaning of the word; moreover the position in which it stands suggests that it was an intermediate penalty between placing under arrest and the rarely used infliction of a fine.

φυλῆς ἐκάστης· οὗτος δ' ἡγεῖται τῶν φυλετῶν καὶ λοχαγοὺς καθίσ[τ]ησιν. χειροτονοῦσι δὲ καὶ ἵππάρχους δύο ἐξ ἀπάντων· οὗτοι δ' ἡγοῦνται τῶν ἵππέων, διελόμ[ενοι] τὰς φυλὰς ἐς ἐκάτερος· κύριοι δὲ τῶν αὐτῶν ὅντερ εἰσιν οἱ στρατηγοὶ κατὰ τῶν ὀπλι[τῶν. ἐπιχειρο]τονία δὲ γίνεται τούτων. χειροτονοῦσι δὲ καὶ φυλάρχους, ἔνα τῆς φυλῆς, τὸν ἡγ[ησό]μενο[ν] (τῶν ἵππέων) ὕσπερ οἱ ταξίαρχοι τῶν ὀπλιτῶν. χειροτονοῦσι δὲ καὶ εἰς Λῆμνον ἵππαρχον, ὃς ἐπιμ[ελη]ται τῶν ἵππέων τῶν ἐν Λήμνῳ. χειροτονοῦσι δὲ καὶ ταμίαν τῆς Παράλου καὶ ἄλλον τῆς [τοῦ ^τΑ]μμωνος.

ἵππάρχους: Harpocration quotes the 'Αθηναίων πολιτεία for the number of these officers, and Photius says δύο ἡσαν οἱ τῶν ἵππέων ἡγοῦντο διελόμενοι τὰς φυλὰς ἐκάτερος ἀνὰ πέντε. ἐπιμεληταὶ δέ εἰσι τῶν ἵππέων, καθάπερ οἱ ταξίαρχοι δέκα ὅντες, εἰς ἀφ' ἐκάστης φυλῆς, τῶν ὀπλιτῶν. (Rose, *Frag.* 391). Rose inserts *οἱ φύλαρχοι* after ἵππέων as subject of the second sentence, from Pollux VIII. 94, which is supported by the present passage; but probably the omission is on the part of Photius himself (and not his MSS.), and he has applied to the *ἵππαρχοι* a phrase which Aristotle attached to the *φύλαρχοι*. The way in which the number of the taxiarchs is mentioned appears to be intended to note a difference in that respect from the hipparchs who are otherwise compared with them.

ὅπλιτῶν: MS. *οπλειτων*, and so again below.

φύλαρχος: Harpocration (s. v.), *φύλαρχός ἐστιν ὁ κατὰ φυλὴν ἐκάστην τοῦ ἵππικοῦ ἄρχων, ὑποτεταγμένος δὲ τῷ ἵππάρχῳ, ὡς Ἀριστοτέλης ἐν τῇ Αθηναίων πολιτείᾳ φησί* (Rose, *Frag.* 392).

τῶν ἵππέων: it seems necessary to insert these words to complete the sense of the passage; and the insertion is confirmed by Pollux (VIII. 94), οἱ δὲ φύλαρχοι δέκα, εἰς ἀπὸ τῆς φυλῆς ἐκάστης, τῶν ἵππέων προίστανται, καθάπερ οἱ ταξίαρχοι τῶν ὀπλιτῶν.

εἰς Λῆμνον ἵππαρχον: cf. Hyperides (*þtro Lyc.* pp. 4, 5, ed. Babington), ὑμεῖς γὰρ ἔμε .. πρῶτον μὲν φύλαρχον ἔχειρον ἡσατε, ἔπειτα εἰς Δῆμνον ἵππαρχον, καὶ ἡρξα μὲν αὐτόθι δύ' ἔτη τῶν πώποθ' ἵππαρχηκότων μόνος. Cf. also Demosthenes (*Phil.* I. p. 47), ἀλλ' εἰς μὲν Δῆμνον τὸν παρ' ὑμῶν ἵππαρχον δεῖν πλεῖν. Mr. Babington misunderstood the passage in Hyperides as meaning that one of the two hipparchs mentioned above was sent to Lemnos.

ταμίαν τῆς Παράλου κ.τ.λ.: Harpocration (s. v. *ταμίας*), after mention-

62. Αἱ δὲ κληρωταὶ ἀρχαὶ πρότερον μὲν ἥσαν αἱ μὲν μετ' ἐννέα ἀρχόντων ἐκ τῆς φυλῆς ὅλης κληρούμεναι, αἱ δὲ ἐν Θησείῳ κληρούμεναι διηροῦντο

ing the ταμίαι τῆς θεοῦ and quoting Aristotle's 'Αθηναίων πολιτεία as his authority, adds εἰσὶ δέ τινες καὶ τῶν ἱερῶν τριήρων ταμίαι, ὡς δὲ αὐτὸς φιλόσοφος φησιν. The Lex. rhet. Cantabrig. (p. 675, 28) s. v. Πάραλος καὶ Σαλαμινία says ταύτας τὰς τριήρεις εἰχον διὰ παντὸς πρὸς τὰς ἐπειγούσας ὑπηρεσίας, ἐφ' αἷς καὶ ταμίαι τινὲς ἔχειροτονοῦντο. . . . τῆς μὲν Παράλου καὶ Σαλαμινίας ἐν τρίτῃ μνημονεύει Θουκυδίδης καὶ Ἀριστοφάνης ἐν "Ορνισι, Ἀριστοτέλης δὲ Ἀμμωνιάδα καὶ Πάραλον οἴδε καὶ Δείναρχος ἐν τῷ κατὰ Τιμοκράτους. Φιλόχορος δὲ ἐν τῇ σ' τέτταρας αὐτὰς οἴδε, πρώτας μὲν δύο Ἀμμωνιάδα καὶ Πάραλον, προσγενομένας δὲ Δημητριάδα καὶ Ἀντιγονίδα. Photius (s. v. Πάραλοι) mentioning the Σαλαμινία says (according to the probable correction of the passage by Rose, ed. 1886) λέγεται δὲ ἡ αὐτὴ καὶ Ἀμμωνίας, while s. v. ταμίαι, after mentioning the ταμίαι τῆς Ἀθηνᾶς, he proceeds εἰσὶ δέ καὶ ἄλλοι ταμίαι, ἀρχοντες χειροτονητοὶ ἐπὶ τὰς ἱερὰς καὶ δημοσίας τριήρεις, ὁ μὲν ἐπὶ τὴν Πάραλον, δὲ δὲ ἐπὶ τὴν τοῦ Ἀμμωνος. Ηρόπορτος (s. v. Ἀμμωνίς) says ἡ τοῦ Ἀμμωνος ἱερὰ τριήρης, and does not mention the Paralus or Salaminia. Finally the Lex. Demosth. Patm. (p. 150) and the scholiast on Demosth. p. 636 explain the name Ἀμμωνίας as derived from the fact that the Athenians sent sacrifices to the god Ammon in it (Rose, *Frapp.* 402, 403, and 443 of ed. 1886). From all this it appears that the two original sacred triremes were the Paralus and Salaminia, and that the latter was re-named the Ammonias. This is not likely to have happened before the time of Alexander, and the occurrence of the name here is another sign of this treatise having been written in the later years of the life of Aristotle.

62. αἱ μὲν μετ' ἐννέα ἀρχόντων: there does not appear to be anything to show what offices are included under this head except the archons and their secretary, but presumably all the various boards of ten would fall into this class.

αἱ δὲ ἐν Θησείῳ κληρούμεναι: that this phrase means 'the officers who are now elected by lot in the Theseum' appears not only from the tense of the participle but from a passage in Aeschines (*contr. Ctes.* ch. 13, p. 55), in which all magistracies (ἀρχαὶ) are divided into those ἀσ οἱ θεσμοθέται ἀποκληρούσιν ἐν τῷ Θησείῳ, and those ἀσ ὁ δῆμος εἴωθε χειροτονεῖν ἐν ἀρχαιρεσίαις. The elections of the archons and their secretary, which had never been committed to the demes, were held in some place which does not seem to be recorded anywhere; while those which were originally entrusted to the demes were, when they were taken out of their hands, held in the Theseum.

διηροῦντο εἰς τοὺς δήμους: i. e. the election was committed to the

εἰς τοὺς δῆμούς· ἐπειδὴ δὲ ἐπώλουν οἱ δῆμοι, καὶ ταύτας ἐκ τῆς φυλῆς ὅλης κληροῦσι πλὴν βουλευτῶν καὶ φρουρῶν· τούτους δὲ εἰς τοὺς δημότας ἀποδιδόσι. μισθοφοροῦσι δὲ πρῶτον [μὲν ὁ δῆμος] ταῖς μὲν

several demes, until these bodies proved themselves too corrupt. What offices are included under this head we cannot tell, but they can only have been of very minor importance. The very numerous boards of ten, of which one representative was taken from each tribe, can only have been elected by the tribes collectively ; unless we are to suppose a process of preliminary selection of candidates by the demes to have taken place. Such a process of preliminary selection took place in reference to the archons, though probably not through the demes ; *cf.* ch. 8 and 22, and note on latter place.

πλὴν βουλευτῶν : this throws a fresh light on the election of the members of the Council. The number of members elected by a deme must have varied from time to time. In Aristotle's time there cannot have been less than 150 demes, or fifteen in each tribe, supposing them to have been distributed equally among the tribes, which may¹ or may not have been the case then, but cannot always have been so ; and among these fifteen the election of the fifty representatives of the tribe must have been divided, probably in proportion to the population of the demes.

φρουρῶν : presumably the 500 φρουροὶ νεωρίων mentioned in conjunction with the βουλευταί in ch. 24.

μισθοφοροῦσι δὲ κ.τ.λ. : one would certainly expect the first item of pay to be that of the ecclesiastae, which would naturally be combined with that for service in the law-courts and in the Council. But the amount named is much more than we ever hear of elsewhere as having been paid for attendance at the assembly. Aristotle has already (ch. 41) mentioned the institution of pay for this service and its extension from one to three obols, but without any sign of its having ever been increased beyond that sum. That was unquestionably its amount at the date of the *Ecclesiazusae* of Aristophanes (392 B.C.), and there is no sign in any of the grammarians of a later increase. The only other pay in connexion with the ecclesia was that of the *συνίγοροι* or advocates employed on the public service. This, according to Aristophanes (*Wasps* 691) and the scholiast on that passage, amounted to a drachma, but it is hardly likely that this is the payment referred to here ; for one thing, there is not room for the word in the lacuna, and on every other ground than that of the sum named one would prefer to supply δῆμος. In the great increase of national corruption and pleasure-seeking which characterised the fourth century, it is not at all impossible that some demagogue proposed that the pay for

ἄλλαις ἐκκλησίαις δραχμήν, τῇ δὲ κυρίᾳ ἐννέα· ἔπειτα τὰ δικ[αστήρια] τρεῖς ὀβολούς· εἴθ' ἡ βουλὴ πέντε ὀβολούς. τοῖς δὲ πρυτανεύοντιν εἰς σίτησιν * [π]ροστίθεται δέκα προστίθενται*, ἔπειτ' εἰς σίτησιν λαμβάνοντιν ἐνν[έα ἄρχον]τες τέττα[ρας]

service in the ecclesia should be doubled, and it is highly probable that such a proposal would have been accepted by that body.

ἐννέα : *sc.* ὀβολούς, *i. e.* a drachma and a half.

τὰ δικαστήρια τρεῖς ὀβολούς: the institution by Pericles of pay for services in the law-courts is mentioned in ch. 27, but the amount is not named. There is a quotation of Aristotle by a scholiast on Aristophanes (*Wasps* 684) which may be partly referred to the present passage : *τοὺς τρεῖς ὀβολούς τὸν φόρον λέγει, ἀφ' ὧν ἐδίδοτο τὸ τριώβολον.* τοῦτο δὲ ἀλλοτε ἄλλως ἐδίδοτο, τῶν δημαγωγῶν τὰ πλήθη κολακευόντων, ὡς φησιν Ἀριστοτέλης ἐν πολιτείαις (Rose, *Frag.* 421). Aristotle does not, in the extant part of his treatise, connect the pay for service in the courts with the competition of the demagogues, though he speaks of the latter in general terms (ch. 27, 28); but it is quite possible that he may have had occasion to do so in dealing with the procedure in the courts, in which case the passage is now lost. Hesychius (*s. v.* δικαστήριον) uses the same phrase about the variation of the rate of pay, ἀλλοτε ἄλλως ἐδίδοτο. In the passage of Pollux (VIII. 113) also quoted by Rose, in which there is mention of varying payments of three obols, two obols, and one obol, it is not certain whether this refers to τὰ δικαστικά alone, or to τὸ θεωρικόν and τὸ ἐκκλησιαστικά as well.

πέντε ὀβολούς: Hesychius (*s. v.* βουλῆς λαχεῖν) states that the members of the Council received a drachma a day, but there is not much difference between that sum and the five obols mentioned by Aristotle, and the latter is most likely to be correct.

τοῖς δὲ πρυτανεύοντιν κ.τ.λ.: this passage is certainly corrupt, and probably some words have fallen out, but in the uncertain state of our knowledge of the subject it would not be safe to attempt to restore it.

ἄρχοντες: that this is the proper word to fill the lacuna in the MS., in spite of the omission of the article before ἐννέα (which occurs again at the beginning of this chapter), is indicated by the mention of the κήρυξ and αὐλητής (see following note). It is very unfortunate that this chapter is so-mutilated, as it would have done much to clear up the question of the payment of the Athenian officials. It does, however, make it clear that several of the magistrates received payment, which is contrary to the view that has been generally held. It is, for instance, directly stated by Schömann that the magistrates (*ἄρχοντες*, or holders of *ἄρχαι*), as

ὅβολοὺς ἔκαστος καὶ παρατρέφουσι κήρυκα καὶ αὐλητήν, ἔπειτ' ἄρχων [εἰς Σαλα]μῖνα δραχ[μὴν] τῆς ἡμέρας. ἀθλοθέται δὲ ἐν πρυτανείῳ δειπνοῦσι τὸν ἔκ[ατομβ]ειώνα μῆνα ὃ ἀν ἦ τὰ Παναθήναια, ἀρξά-
μενοι ἀπὸ τῆς τετράδος ἰσταμένου. Ἀμ[φι]κτύονες εἰς Δῆλον δραχμὴν τῆς ἡμέρας ἔκάστης ἐκ Δήλου (λαμβάνουσι). λαμβάνουσι δὲ καὶ ὅσαι ἀπο-
στέλλονται ἄρχαι εἰς Σάμον ἢ Σκύρον ἢ Λῆμνον ἢ
Ίμβρον εἰς σίτησιν ἀργύριον. ἄρχειν δὲ τὰς μὲν κατὰ πόλεμον ἄρχας ἔ[ξεσ]τι πλεονάκις, τῶν δὲ
ἄλλων οὐδεμίαν, πλὴν βουλεῦσαι δίς.

well as most of the ἐπιμεληταί, served without pay (*Ant. of Greece*, Eng. Tr. pp. 401, 402; *Ant. Jur. Publ.*, p. 237); but he gives no authorities for his statement. On the other side we have more than one passage of the present treatise. In ch. 24, among the various services for which the populace of Athens received pay, and thereby supported itself in the city, are the ἄρχαι ἔνθημοι to the number of seven hundred, which must apparently include all magistracies, great and small. In ch. 29 one of the first provisions of the board of Thirty which was established in 411 B.C. to draw up the new constitution was τὰς ἄρχας ἀμίσθους ἄρχειν ἀπάστας ἔως ὁ πόλεμος ἦ, πλὴν τῶν ἐννέα ἄρχοντων καὶ τῶν πρυτανέων οἱ ἀν δωσιν, τούτους δὲ φέρειν τρεῖς ὄβολοὺς ἔκαστον τῆς ἡμέρας. This clearly shows that up to that time both the magistrates named and others who are not named received pay. Finally there is the present passage, which, though mutilated, seems to indicate that the pay of the archons was four obols a day; and this agrees well enough with the passage in ch. 29, since it is not unnatural that when all other officers were being deprived of their remuneration those who still received it should have it reduced. At what date pay was introduced for these magistracies we cannot say, except that it must have been between about 470 B.C. and 411 B.C.; nor can we say whether this rule applied to all magistrates, and, if not, to which of them. It seems more than probable, however, that it applied to the archons.

κήρυκα καὶ αὐλητήν: a κήρυκες τῷ ἄρχοντι and an αὐλητής are mentioned side by side in two inscriptions (*C. I. G.* 181, 182), and it is probable that these are the officials here referred to.

ἄρχων εἰς Σαλαμῖνα: this is the officer mentioned in ch. 54.

δειπνοῦσι: MS. διπνοῦσι.

63. Τὰ δὲ δικαστήρια [κ]λη[ροῦσιν] οἱ θ ἄρ-
[χο]ντες κατὰ φυλάς, ὁ δὲ γραμματεὺς τῶν θεσμο-
[θετῶν τῆς] δεκάτης φυλῆς. εἰσοδοι δὲ εἰσὶν εἰς τὰ
δικαστήρια δέκα, μία τῇ φυλῇ ἐκάστη, καὶ κλη[ρω-
τήρια] εἰκοσι, δ[ύο τῆς] φυλῆς ἐκάστης, καὶ κιβώτια
ἐκατόν, δέκα τῇ φυλῇ ἐκάστη, καὶ ἔτερα κιβώτι[α
δέκα, οἰς ἐ]μβάλλεται τῶν λαχόντων δικα[σ]τῶν τὰ
π[ινά]κια· καὶ ὑδρίαι δύο καὶ βακτηρίαι παρατίθενται
κατὰ τὴν [ἴσοδον] ἐκάστην ὅσοιπερ οἱ δικα[σ]ταί,
καὶ βάλανοι εἰς τὴν ὑδρίαν ἐμβάλλονται ἵσαι ταῖς
βακτηρίαις, [γ]έγραπται δὲ ἐν ταῖς βαλάνοις [τὰ]
στοιχεῖα ἀπὸ τοῦ ἐνδεκάτου, τοῦ λ, ὅσαπερ ἔαν

63. Τὰ δέ: MS. τα δε τα. A detailed account of the procedure in the law-courts begins here, but unfortunately the greater part of it is lost, or exists only in such a state that it is hopeless to decipher the remains into a connected narrative. We have here the description of the first part of the procedure in the assignment of the jurors to the several courts, and the fragments which remain of the rest of the treatise show that the same detailed scale was preserved throughout this part of the work. Some points in the description are not quite clear, but the general outline is already known from the scattered statements of orators and grammarians. The subject is fully treated of by Meier (*Attische Process*, II. 1), and from him in the various dictionaries of antiquities, so that it is not necessary to describe it at length here.

βακτηρίαι: MS. βακτηρία.

ὅσοιπερ: MS. οὐσ οιπερ.

ἵσαι: in the MS. a σ has been written before this word, but has been struck out.

τὰ στοιχεῖα ἀπὸ τοῦ ἐνδεκάτου: the text has been confused in the MS., but the meaning is clear. In the MS. the words at first written appear to have been *απὸ τοῦ ενδεκάτου τον τριακοστον*. Then *τον τριακοστον* is cancelled, and above the last syllable of *ενδεκάτου* and the cancelled words is written *τον λ τριακοστον*. It is clear that the insertion of *τριακοστον* is a mistake, though apparently it must have occurred in the text from which this was copied. Aristotle is simply stating that in one of the urns used in the process of selecting by lot the bodies that were to sit in the several courts were placed tablets, equal in number to the courts required on the day in question, and lettered from λ (the eleventh letter in the alphabet) upwards. The reason

μέλλη [τ]ὰ δικαστήρια πληρωθήθεσθαι. δικάζειν δὲ ἔξεστιν τοῖς ὑπὲρ λέγη γεγονόσιν, ὅσοι αὐτῶν [μ]ὴ ὀφείλουσιν τῷ δημοσίῳ ἡ ἀτιμοί εἰσιν· ἐὰν δέ τις δικάζῃ οἷς μὴ ἔξεστιν, ἐνδείκνυται κατὰ τὸ δικαστήριον εἰσαγγελίᾳ[α], ἐὰν δὲ ἀλφῷ προστιμῷ[ῶσιν αὐτ]ῷ οἱ δικασταὶ ὃ τι ἀν δοκῇ ἄξιος εἴναι παθε[ῖν] ἡ ἀποτίσαι. ἐὰν δὲ ἀργυρίου τιμήθη δεῖ αὐτὸν δέδε[σθαι] ἔως ἀν ἐκτίση τό τε πρότερον ὄφλημ[α ἐ]φῳδῷ ἐνεδείχθη καὶ ὃ τι ἀν αὐτῷ προστιμήσῃ τὸ

for beginning with λ is that the first ten letters, from α to κ, were already used to distinguish the ten groups into which the whole heliastic body was divided. Accordingly when the casting of lots took place the letters from α to κ indicated the ten groups of jurors, and the letters from λ to ν (or less, if not all the ten courts were required) the courts in which they were to sit. Thus if γ was drawn from the one urn simultaneously with τ from the other, it showed that group γ was to sit in court τ. Then, as the last words of this part of the MS. tell us, one of the officials hung up the letter γ off the court τ, to show which group was sitting there. But a further security against unauthorised persons intruding was required. The group γ might possibly not have its full complement of members, in which case it would have to be filled up from the 1000 reserve dicasts who were not assigned to any of the ten groups; and as these reserve members would not have the same ticket as the members of group γ it was not sufficient to direct the attendants to admit to court τ only the persons who produced a dicast's ticket lettered γ. The device adopted is described in col. 32 (=Frag. 420). Each court had a certain colour painted on a projecting stone or stake (*σφηκίσκος*) at its entrance. Supposing that colour to be dark blue in the case of court τ, as soon as the group γ had been made up to its full strength by drawing members from the reserve, each person received a staff also coloured dark blue, and the attendants would admit to the court only those who could produce this staff. Each person thus qualified, as he entered the court, received a voucher (*σύμβολον*), and on presenting this at the end of the day he drew the pay to which he was entitled for his services.

The reason for the corrupt insertion of *τριακοστοῦ* in the text is simply that λ is the numeral representing 30, and some person, misunderstanding the passage, thought that the letter was here used in its numeral capacity and added the number in words in the margin or above the line, from which it became incorporated in the text.

δικ]αστήριον. ἔχει δ' ἕκαστος δικαστὴς πινάκιον πύξινον, ἐπιγεγράμμενον τὸ ὄνομα τὸ ἑαυτοῦ πατρόθεν καὶ τοῦ δήμου καὶ γράμ[μα] ἐν τῶν στοιχείων μεχρὶ τοῦ καὶ νενέμηνται γὰρ κατὰ φυλὰς δέκα μέρη οἱ δικασταί, παραπλ[ησί]ως ἵστοι ἐν ἕκαστῳ τῷ γράμ[μα]τι. ἐπειδὰν δὲ ὁ θεσμοθέτης ἐπικληρώσῃ τὰ γρ[άμ]ματα ἡ δεῖ προσπαραγίνεσθαι τοῖς δικασ-

πινάκιον: there is a lacuna before this word sufficient to contain two letters, but it does not appear that anything is wanting to complete the sense. If anything was written it was probably struck out.

νενέμηνται γὰρ κατὰ φυλὰς δέκα μέρη κ.τ.λ.: this does not mean that each group consisted of members of a single tribe, which is inconsistent with all the evidence we have on the subject and is disproved by the existing πινάκια or dicast's tickets, of which a considerable number have been found in recent years, and on which members of different tribes appear as belonging to the same group. The meaning is, on the contrary, that each group contained, roughly speaking, an equal number of representatives from each of the ten tribes.

τὸ λαχόν: the M.S. breaks off here with all the appearance of having reached the conclusion of the work, as it is neither the end of a column nor the end of a line, and a slight flourish is made below the last words. But clearly the author is only in the middle of his subject, and there are moreover several fragments (Nos. 423-426) which obviously belong to this description of the procedure of the δικαστήρια. The rest of the work was evidently written on a portion of papyrus of which several fragments remain, but unfortunately in a condition which makes continuous decipherment hopeless. They are written in the 'third hand' of the M.S., which explains why the text breaks off here in the middle of a column. The writer of the 'fourth hand' left off transcribing at this point, and when his colleague or servant took it up he began a fresh column. Moreover it is clear, from an inspection of the writing on the *recto* of these fragments, that he began a fresh piece of papyrus. The writing on the *recto* of the piece which ends here contains the accounts of the end of Pharmouthi and the greater part of Pachon for the eleventh year of Vespasian; while the accounts on the *recto* of the fragments belong to the end of Phamenoth and the greater part of Pharmouthi (both the beginning and the end remain, but the middle is lost and the whole mutilated) of the tenth year. It is therefore clear that an earlier portion of the same collection of accounts was taken in order to receive on its *verso* the conclusion of Aristotle's work. Enough is legible to show that these fragments

τηρίοις, ἐπέθηκε φέρων ὁ ὑπηρέτης ἐφ' ἔκαστ[ον
δικ]αστήριον τὸ γράμμα τὸ λαχόν.

are a continuation of this part of the text, and to identify all but one of the quotations referred to above as belonging to this part of the work. The text is subjoined so far as it is legible; but it will be seen that, with the exception of the concluding sentences of the work and those places where the extant quotations assist us, it is impossible to restore it to a state of continuity without an unjustifiable use of conjectural emendation.

FRAGMENTS.

. ἡ δὲ

[Col. 31.]

ἡροῦ[ντο] [κ]αθ' ἐκάστην τὴ[ν φυ]
 λὴν ἐπιγε[γραμμένας] ἐπ' αὐτῶν τὰ στοι
 χεῖα μέχρι [ἐπ]ειδὰν δ' ἐμβαλῶσιν τῷ
 ν̄ δικαστ[ῶν τὰ πινάκ]ια εἰς τὸ κιβώτι[ον]
 ἐφ' οὐ . . η [γεγρα]μμένον τὸ γράμ[μα]
 τὸ αὐτὸ ὃ ἐπ[ὶ τῷ π]ινακίῳ ἐστὶν α . .
 τῶν στοιχ[εῖων] . . σείσαντος τοῦ ὑ[πη]
 ρέτου ἐλ[κει ὁ θεσμο]θέτης ἐξ ἐκάστου
 τοῦ κιβω[τίου πινά]κιον ἐν. οὗτος δὲ
 καλεῖ . . ε . . . νς καὶ ἐμπήγνυσι
 τὰ πινάκια . . . [το]ῦ κιβωτίου εἰς τὴν
 κανονίδα . . . [τὸ α]ὐτὸ γράμμα ἐπεστιν

31. ἡ δέ: this is the first word visible on the fragments which now represent what was originally the last roll of the MS. A few letters remaining to the left of this column show that at least one column has been lost from its beginning. Then follow two columns of which there are considerable remains, two which are almost entirely lost or illegible, and two which contain the conclusion of the work, the last one (which consists of only eight lines of writing) being alone in good condition. It seems useless to divide this very fragmentary text into chapters, especially as it is all concerned with one subject, and the numbers of the columns afford sufficient means of reference.

ἐμβαλῶσιν: so, apparently, as a correction of *βλαβωσιν*.

κανονίδα: corrected from *κανωνίδα*, and so again below, *κανορίδες*.

τοὺς κύρους : added above the line.

*ōrou : before this word *orū* has been written, but it is struck out.
elōin : qu. for *elōnei*?*

ος ὁ δὲ ὑπηρ[έτης] . . . [τὴν βακ]τηρία[ν τὴν]
 [ό]μόχρων τῷ ἐκά[στου]
 . . ὅπερ ἐν τῇ βαλάνῳ καὶ αὐτῷ . .
 . . ελθεῖν εἰς ἐὰν τὰ
 . . ἔτερον ει
 . . [τ]ῆς βακτηρίας. [τοῖς γὰρ δικαστηρ]ίοις χρώ
 [μ]α[τ]α ἐπιγέγραπτ[αι ἐφ' ἐκάστῳ] ἐπὶ τῷ σφη
 [κ]ίσκῳ τῆς εἰσ[όδου· ὁ δὲ λαβὼν τὴν] βακτηρ
 [ίαν] βαδίζει εἰς [τὸ] δικα[στηρίον τὸ] ὁμόχρων
 μὲν τῇ βακτ[ηρίᾳ] ἡ[χον δὲ τὸ αὐτὸ] γράμμα
 [ὅπερ] ἐν τῇ βαλάνῳ. ἐπ[ειδὰν δὲ εἰσέλθῃ], παραλαμβ
 ἀνει σύμβολον δη[μοσίᾳ] παρὰ τοῦ εἰλη
 [χό]τος ταύτην τὴν ἀ[ρχήν]. . . τα . ην τα . .
 . . τὴν βακτηρίαν τη . .
 . . τροπον τες τοῖς . .
 . . ους δι . . . οι κ . περ . κ . .
 . πι . . ακηλ δημοσίᾳ
 [τῆ]ς φυλῆς ἐκάστης ἀ[ναδι]δόασιν τα[ῖς]
 . . ενε . . τὸ δικα[στήρ]ιον ἐκαστον . .
 . . ἐστὶν τὰ φυλῆς τῶν . .
 ἔνεκα ὁ τω . . . κα . . . παραδιδόα[σι]
 δὲ τοῖς εἰληχ[όσιν] . . . δοναι, τοῖς δὲ ιδ[ιώ]
 ταις ἐκάστῳ [τ]ῷ ἀριθμῷ τ . .
 παρὰ τῷ . . τούτου . . , υν . . σ ἀπο[δί]

32. *τοῖς γὰρ δικαστηρίοις κ.τ.λ.*: this passage is quoted verbally by the scholiast on Aristoph. *Plut.* 278, who introduces it with the words, περὶ τοῦ παραδιδομένου τοῖς εἰσιοῦσιν εἰς τὸ δικαστήριον συμβόλου Ἀριστοτέλης ἐν τῇ Ἀθηναίων πολιτείᾳ οὗτοι γράφει (Rose, *Frag.* 420). In the scholium χρῶμα is read instead of χρώματα, and a lacuna is indicated between it and ἐπιγέγραπται, which Dindorf fills up with a whole clause; but according to this MS. nothing can be lost except the syllable *τα*, and even that is not absolutely certain.

δωσι τ . . . θον δὲ πάντα . . .
 κατὰ δικαστήρια τρ . . εν τω ν
 δικαστηρ[ι]ο[ν] ια καὶ χ
 ειν εἰτ̄ ἐπὶ τα
 καὶ ἔτεροι κύ[βο]ι ἐν οἱ[σ] . . . ων ἀρ . . ν τ .
 τῷ ε . . . ξ . . ετα . . . το . . τᾶν [θεσμο]
 θετῶν τοὺς κύ[βους]
 βάλλοντιν ὁ πεντ [δικασ]
 τήριον ὁ δὲ τῶν ἀρ[χόντων]
 . . δαν . . . τη α . . . ἀρχῶν
 . . . κηρυ
 [Col. 33.] [ἀ]ρχῶν τ
 . ευτερ
 . εμια . . σι
 . αν λα
 . ως κ
 . ται ή ἀρχὴ [δικα]
 [σ]τηρίῳ ἐκάστω
 τιον πινάκιον [ε]
 κάστης τῆς
 ἔτερον κενὸν
 τοὺς πρώτους
 δε . ρ . τες παρὰ
 μηδεὶς παρὰ
 . . δῶρ[α] μήτε
 . . ητα . . αρεσ

33. Of this column only a strip remains, containing the beginnings of the lines; and even this is considerably rubbed, so that it is not possible to obtain any connected sense out of it. The last five lines of the column are completely illegible.

.. λαχον
 ἀπολαμβάνο[υσι]
 τὸν μίσθον
 τας αἱ φυλαὶ [ἐπει]
 δὰν δικάσωσ[ι]
 διας α τον
 τοῦτο συν
 ταῦτα
 ὅταν μὲν
 τῷ ἀριθμ[ῷ]
 .. τοῦ νόμο[ν]
 εἰς αὐτὸ τὸ π
 [βα]σιλεύς
 .. σι . εἰσὶ δ[ὲ]
 .. ρους
 .. τας

[Col. 34.]	(1)	(3)
καστοι . . .		. . . να . . .
πευδοι . . .		. . . μαρ . . .
θειν τους . . .		. . . ναπ . . .
λαμβα . . .		. . . ως τρη . . .
ρος τοις δ . .		. . . [ε]πιλαμβ . . .
ἐν δὲ τοῖς . .		. . . τω τε κ . . .
. ωι διαφ . . .		. . . διὰ μὲν . . .
[ε]πὶ τοῖς . . .		. . . δεων οι . . .
[ε]στι δὲ . . .		. . . χρων τ . . .
[χ]ρήματ . . .		
ἀπὸ τῆ[ς] . . .		(4)
		. . . [το]ὺς . . . δας
		. . . . . ιδίους
(2)		. . . . . ων τ[ω]ν
. . . στηρ . .		. . . . . λ . . .
. . . τει . . .		. . . . . δε ταδ . .
. . . μητε
. . . ενοχ . . .		. . . . . χους . . .
. . . ουσι τε . . .		. . . . . σ ο δει . τοῦ
. . . τους . . .		. . . . . ου τοις ερ
. . . ν δικ
		. . . . . έπταχους δὲ
		. . . . . ων και δίχους
		. . . . . δίχους έξαχους
		. . . . . ερον . . . σου . .
		. . . . . ως έπιλαμβάνει

34. A few detached fragments are given here which belong either to this column or to those which immediately precede and

εστι	αν	[Col. 35.]
δεδε	ειν	
συν	ενην μεν	
τα ν		
τριε . . . [ψῆφοι δὲ εἰσὶ χαλκαῖ] αὐλίσ		
κον [ἔχουσαι ἐν τῷ μέσῳ, αἱ μὲν ἡ] μίσειαι τε		
τρυ[πημέναι αἱ δὲ ἡμίσειαι πλήρεις. οἱ] δὲ λα		
χόντες [ἐπὶ τὰς ψήφους, ἐπειδὴν εἰρημέ] νοι		
ῳσιν [οἱ λόγοι, παραδιδόασιν ἐκάστῳ τ] ὧν		
δικαστ[ῶν δύο ψήφους, τετρυπημένη] ν καὶ		
πλήρη, [φανερὰς ὄρᾶν τοῖς ἀντιδίκοις ἵ] να μή		
τε πλή[ρεις μήτε τετρυπημένας ἀμφο] τέρας		
λαμβ[άνωσιν] [λ]αχω . .		
απόλα		
ψηφιξ		

follow it. The size of this portion of the papyri is estimated from the writing which is on the other side of it, from which it may be gathered that not more than one column is required between that which has just been given and that which follows as col. 35. The first fragment consists of the beginnings of lines, and must therefore belong to either col. 34 or col. 35. The two next contain the middles of lines, and may therefore be placed anywhere in columns 33-35. Then is given the fragment containing the bottom of col. 34, which is on one piece of papyrus with the left-hand bottom corner of col. 35.

35. The remains of this column consist of a strip containing the ends of the lines throughout, but in such a condition as to be practically undecipherable, and of another piece which contains the beginnings of the lines at the bottom of the column. In the latter it is possible to identify one of the extant quotations of Aristotle's work (*Rose, Frag. 424*), and the passage is accordingly reconstructed. The quotation occurs in *Harpocration*, s. v. *τετρυπημένη*, and it is prefaced by the words, *Ἄριστορέλης ἐν Ἀθηναίων πολιτείᾳ γράφει ταῦτα*. The only variation in the text is the addition of *ἀμφοτέρας* at the end of the quotation, which is a distinct improvement.

[Col. 36.] . . τοῦ γ̄ ἀποδιδ . . . [γ̄]ἀρ̄ γ̄ λα ψηφι
 . . πάντες οἱ . . ρας τι λα ορον
 . ἐὰν μὴ ψηφίζηται εἰς . . ἀμφόρεις
 [δύο ἵστ]ανται ἐν τῷ δικαστηρίῳ, ὁ μὲν χ[α]λκοῦς
 [ό δὲ ξύ]λινος, διαιρετοι [ό]πως [π]άν[τες] . . . οὐπὸ
 ἄλλων
 . . εἰς οὓς ψηφίζονται [έφ'] ἔκαστα, ὁ μὲν
 [χαλκοῦ]ς κύριος, ὁ δὲ ξύλινος ἄκυρος. ἔχει δὲ οὐ
 χαλ
 [κοῦς ἐπίθημα διερρ]ιψη μένον ὅστ' αὐτὸν ἦν
 [μόνη]ν χωρεῖν τὴν ψῆφον. ἦν δέ οἱ δύο [τὸν]
 αὐτὸν
 . . η. ἐπειδὰν δὲ διαψηφίζεσθαι μέλλωσιν
 . . τα δέ κήρυξ ἀγοράζει, πρῶτον ἀν εἰσκα
 λῶνται οἱ ἀντίδικοι τὰς μαρτυρίας. [τὰ]ς γὰρ
 . . ἐπισκήψασθαι τα . . [π]άντ' αὐτὸν ράψη
 . . θαι. ἐπειτα πάλιν [ό κήρυξ κηρ]ύττει, ή τε
 [τρυπη]μένη τοῦ πρότερο[ν λέγοντος] ή δέ πλή^{τη}
 [ρης το]ῦ ὕστερον λέγοντος . . . αστ . . τα
 . . τοῦ λυχνείου τὰς ψήφους [έπ]ι οὐκέτι τον
 . . τῆς ψήφου καὶ δεικνύων . . σα

36. The greater part of the width of this column remains, but the writing is much rubbed in places, so that it is not easy to decipher connectedly. Two of the extant quotations, however, occur in it, which are of great assistance in restoring those parts of the text.

ἀμφόρεις: this passage is quoted, with slight variation of language, by the scholiast on Aristoph. *Knigkis* 1150, . . ὕστερον δέ ἀμφόρεις δύο ἵσταντο ἐν τοῖς δικαστηρίοις, δέ μὲν χαλκοῦς, δέ ξύλινος καὶ δέ μὲν κύριος ἦν, δέ δὲ ἄκυρος. ἔχει δέ καὶ δέ χαλκοῦς, ὡς φησιν Ἀριστοτέλης, διερριημένον ἐπίθημα, εἰς τὸ αὐτὴν μόνην τὴν ψῆφον καθίσθαι. Pollux also (VIII. 123) draws from Aristotle, ψήφους δέ εἰχον χαλκᾶς δύο, τετρυπημένη καὶ ἀτρύπητον, καὶ κάδον φημὸς ἐπέκειτο δέ οὐ καθίστει η ψήφος αὐθίς δέ δύο ἀμφόρεις, δέ μὲν χαλκοῦς, δέ ξύλινος, δέ μὲν κύριος, δέ δὲ ἄκυρος τῷ δὲ χαλκῷ ἐπήριθμα μίᾳ ψήφῳ χώραν ἔχον (Rose, *Frag.* 426).

. . μεν οι τὸ τετρυπημένον
 . . πλήρεις βάλλει τὴν . . εν . . εις
 . . ουν α μ . . τη . . ρο . . εις
 . . νον πλα α *
 . . μενοι λαβεῖν τὰς ύπηρετ . .
 . ἀμφορέα τὸν κύριον . . ως . . ανα . .
 . . πηματα . . . τα αιρη
 . . αυτα ενα θμοι
 . . εκ ηρ . η δηλ
 . . τι δ ους [ει]λη
 [χότας] δια . . τας . . του α . . α . . is
 . . με . . . εις χ δε ταῦτ' ε
 . . μεν . . αν . . ρε . . κ . . τον
 . . ων τῶν ψήφων τοῦ μὲν διώ
 [κον]τος τὰς τετρυπημένας, τοῦ δὲ φ[εύγοντος]
 [τὰς πλήρεις· ὅποτέρω δ' [ὰν πλείω γ]ένη
 [ται οὐ]τος νικᾶ. ἀν δὲ [ἴσαι, ἀποφεύγει. εἰτ]α πά
 λιν τιμῶσι, ἀν δεῆ τιμῆσαι, τὸν αὐτὸν
 τρόπον ψηφιζόμενοι, τὸ μὲν σύμβολον
 ἀποδίδοντες βακτηρίαν δὲ πάλιν παραλαμ

[Col. 37.]

τῶν ψήφων: this passage is quoted in the Lex. rhet. Cantabrig. p. 670, 30, s. v. ίσαι αι ψήφοι αὐτῶν: ἐγένοντο δὲ ίσαι ψήφοι, ὡς Ἀριστοτέλης ἐν τῇ Ἀθηναίων πολιτείᾳ· καὶ ἡσαν τοῦ μὲν διάκοντος αἱ τετρυπημέναι, τοῦ δὲ φεύγοντος αἱ πλήρεις· ὅποτέρω δ' ἀν πλείους γένωνται, οὗτος ἐνίκα· ὅτε δ' ίσαι, δ φεύγωνται πέφυγεν, ὡς καὶ Θεοδέκτης ἐν τῇ Σωκράτους ἀπολογίᾳ (Rose, *Frag.* 425). The words δ φεύγωνται have dropped out of this MS., and, though the sense is clear without them, it would probably be better to restore them.

νικᾶ: MS. νικα.

37. This column contains the final words of the treatise in good condition. It seems probable that this is actually the end of the work, though the fact of the writing breaking off in the middle of a column would not prove it, as that has already occurred in the cases of columns 24 and 30. But this time an elaborate flourish is executed, such as we

βάνοντες. ή δὲ τίμησίς ἔστιν πρὸς ημίχουν
ὑδατος ἑκατέρων. ἐπειδὴν δὲ αὐτοῖς ή δὲ
δικασμένα τὰ ἐκ τῶν νόμων, ἀπολαμ
βάνουσιν τὸν μίσθον ἐν τῷ μέρει οὐ
ἔλαχον ἑκαστοι.

find at the conclusion of other papyrus MSS., and the subject of the law-courts has been brought to completion. It is, no doubt, an abrupt ending, but it is not therefore uncharacteristic of Aristotle.

τιμῶσι: MS. *τειμωσι*, and so again below, *τειμησαι*, *τειμησις*.

APPENDIX.

FRAGMENTS OF THE 'Αθηναίων Πολιτεία PREVIOUSLY KNOWN FROM QUOTATIONS IN OTHER AUTHORS¹.

343.

Harpocration s.v. 'Απόλλων πατρῷος' ὁ Πύθιος. προσηγορία τίς ἔστι τοῦ θεοῦ πολλῶν καὶ ἄλλων οὕτων. τὸν δὲ 'Απόλλωνα κοινῶς πατρῷον τιμῶσιν 'Αθηναῖοι ἀπὸ 'Ιωνος τούτου γὰρ οἰκήσαντος τὴν 'Αττικήν, ὡς 'Αριστοτέλης φησί, τοὺς 'Αθηναίους 'Ιωνας κληθῆναι καὶ 'Απόλλω πατρῷον αὐτοῖς δινομασθῆναι.

Exc. Polit. Heraclid. § 1: 'Αθηναῖοι τὸ μὲν ἔξ ἀρχῆς ἐχρῶντο βασιλείᾳ, συνοικήσαντος δὲ 'Ιωνος αὐτοῖς, τότε πρώτον 'Ιωνες ἐκλήθησαν. Πάνδων (l. Πανδιων) δὲ βασιλεύσας μετὰ 'Ερεχθέα διένειμε τὴν ἀρχὴν τοῖς νιοῖς. καὶ διετέλουν οὗτοι στασιάζοντες.

Frag. 343. This quotation is clearly from the opening of Aristotle's treatise, now lost. We know from the summary in ch. 41 that Aristotle took the establishment effected by Ion as the starting-point of the constitutional history of Athens, so that this passage probably occurred very near the beginning. The extract from the *Πολιτείαι* of Heraclides is given because that work was evidently a compilation from Aristotle (*cf.* note on ch. 18, *δρ' οὐ καὶ συνέβη κ.τ.λ.*). The first part of it, as far as *ἐκλήθησαν*, is given by Rose in his 1870 edition under no. 343; the rest, with the continuation of it quoted below (Frag. 346), in his 1886 edition under no. 611. A passage added in this place by him from a scholiast on Aristophanes has already been quoted in the note on ch. 3, *Ιωνα*.

¹ The quotation is given in full when the fragment does not occur in the MS. from which the present text is published. In other cases a reference is given to the chapter in which it is to be found. The numbers are, as before, those of the 1870 edition of Rose's collection, in the Berlin Academy edition of Aristotle.

344.

Plinius, N. H., VII. 205: *Gyges Lydus picturam Aegypti (condere instituit) et in Graecia Euchir Daedali cognatus, ut Aristoteli placet, ut Theophrasto, Polygnotus Atheniensis.*

345.

See ch. 60 and note on τὸ ἔλαιον.

346.

Plutarch, Thes. 25: ἔτι δὲ μᾶλλον αὐξῆσαι τὴν πόλιν βουλόμενος ἐκάλει πάντας ἐπὶ τοῖς ἵσοις, καὶ τὸ “δεῦρ’ ἦτε πάντες λεψί” κήρυγμα Θησέως γενέσθαι φασὶ πανδημίαν τινα καθιστάντος. οὐ μὴν ἀτακτον οὐδὲ μεμιγμένην περιεῖδεν ὑπὸ πλήθους ἐπιχνθέντος ἀκρίτου γενομένην τὴν δημοκρατίαν, ἀλλὰ πρῶτος ἀποκρίνας χωρὶς ἐνπατρίδας καὶ γεωμόρους καὶ δημιουργούς, ἐνπατρίδαις δὲ γινώσκειν τὰ θεῖα καὶ παρέχειν ἄρχοντας ἀποδοὺς καὶ νόμων διδασκάλους εἶναι καὶ δσίων καὶ ιερῶν ἔξηγητάς, τοῖς ἄλλοις πολίταις ὥσπερ εἰς ἵσον κατέστησε, δόξῃ μὲν ἐνπατριδῶν χρείᾳ δὲ γεωμόρων πλήθει δὲ· δημιουργῶν ὑπερέχειν δοκούντων. ὅτι δὲ πρῶτος ἀπέκλινε πρὸς τὸν ὄχλον, ὡς Ἀριστοτέλης φησί, καὶ ἀφῆκε τὸ μοναρχεῖν, ἔοικε μαρτυρεῖν καὶ “Ομηρος ἐν νεῶν καταλόγῳ μόνους Ἀθηναίους δῆμον προσαγορεύσας.

Exc. Polit. Heraclid. § 1: Θησεὺς δὲ ἐκήρυξε καὶ συνεβίβασε τούτους ἐπ’ ἵση καὶ δμοὶδ μοίρᾳ. οὗτος ἐλθὼν εἰς Σκύρον ἐτελεύτησεν ὡσθεὶς κατὰ πετρῶν ὑπὸ Λυκομήδους, φοβηθέντος μὴ σφετερίσηται τὴν νῆσον. Ἀθηναῖοι δὲ ὕστερον περὶ τὰ Μηδικὰ μετεκόμισαν αὐτοῦ τὰ δστᾶ. ἀπὸ δὲ Κοδριδῶν οὐκέτι βασιλεῖς ἥροῦντο διὰ τὸ δοκεῖν τρυφᾶν καὶ μαλακοὺς γεγονέναι. Ἰππομένης δὲ εἰς τῶν Κοδριδῶν βουλόμενος ἀπώσασθαι τὴν διαβολήν, λαβὼν ἐπὶ τῇ θυγατρὶ Λειμώνη μοιχόν, ἐκεῖνου μὲν ἀνεῖλεν ὑποζεύξας μετὰ τῆς θυγατρὸς τῷ ἀρματὶ, τὴν δὲ Ἱππωνέκλεισεν ἔως ἀπόληται.

Frag. 344. This quotation is given by Rose and is therefore included here, but it may be taken as nearly certain that it is not from the Ἀθηναίων πολιτείᾳ.

Frag. 346 It is impossible to tell for certain how much of this passage is taken from Aristotle, but we know that Plutarch made use of the latter's

347.

Schol. in Plat. Axioch. p. 465 (cf. Moeris att. p. 193, 16) γεννήτη: Ἀριστοτέλης φησὶ τοῦ διλού πλήθους διηρημένου Ἀθηναῖς εἴς τε τοὺς γεωργοὺς καὶ τοὺς δημιουργοὺς φυλὰς αὐτῶν εἶναι τέσσαρας, τῶν δὲ φυλῶν ἐκάστης μοίρας εἶναι τρεῖς, ἀς τριττύνας τε καλοῦσι καὶ φρατρίας, ἐκάστης δὲ τούτων τριάκοντα εἶναι γένη, τὸ δὲ γένος ἐκ τριάκοντα ἔκαστον ἄνδρων συνεστάναι. τούτους δὴ τοὺς εἴς τὰ γένη τεταγμένους γεννήτας καλοῦσι.

Lex. Demosth. Patm. p. 152, ed. Sakkelion, γεννήται: πάλαι τὸ τῶν Ἀθηναίων πλῆθος, πρὶν ἡ Κλεισθένη διοικήσασθαι τὰ περὶ τὰς φυλὰς, διηρεῖτο εἰς γεωργοὺς καὶ δημιουργούς. καὶ φυλαὶ τούτων ἡσαν δ', τῶν δὲ φυλῶν ἐκάστη μοίρας εἶχε γ', ἀς φρατρίας καὶ τριττύνας ἐκάλουν. τούτων δ' ἐκάστη συνειστήκει ἐκ τριάκοντα γενῶν καὶ γένος ἔκαστον ἄνδρας εἶχε τριάκοντα τοὺς εἴς τὰ γένη τεταγμένους, οἵτινες γεννήται ἐκαλούντο, ὡν αἱ ἱερωσύναι ἐκάστοις

work, and he evidently had it before him here, as he proceeds to mention him by name. In all probability the division of the people into Eupatridae, Geomori, and Demiurgi, with the description of their respective positions, may be ascribed to Aristotle's authority, in addition to the phrase which is actually quoted from him. In the summary in ch. 41 the rule of Theseus is taken to mark the first modification of the constitution in the direction of popular government.

Only the first sentence of the extract from Heraclides is given in Rose's 1870 edition. Hippomenes was the fourth of the decennial archons and the last of the descendants of Codrus who governed Athens, his period of rule ending in 722 B.C.

Frag. 347. The passage quoted by these various authors evidently comes from Aristotle's description of the constitution under Theseus, to whom was ascribed the division of the people into Eupatridae, Geomori, and Demiurgi. It is noticeable that alike in the scholiast to Plato, Moeris, and the Lexicon Demosthenicum the name of the Eupatridae is omitted, clearly pointing to a community of origin, which may have been either the text of Aristotle himself or of some compiler from him.

The Lexicon Demosthenicum appears to contain the fullest citation from Aristotle. The comparison of the numbers of the φύλαι, φρατρίαι and γένη to the seasons, months, and days is also found in Suidas, who must have drawn from the same source.

Harpocration appears also to have drawn from Aristotle in his account of the word γεννήται, but he adds nothing to the quotations already given. The same is the case with Pollux (VIII. 111), but he does not follow Aristotle verbally.

προσηκούσαι ἐκληροῦντο, οἷον Εὐμολπίδαι καὶ Κήρυκες καὶ Ἐτεοβουτάδαι, ὡς ἴστορεὶ ἐν τῇ Ἀθηναίων πολιτείᾳ Ἀριστοτέλης λέγων οὕτως. φυλὰς δὲ αὐτῶν συννεμήσθαι δ' ἀπομιησαμένων τὰς ἐν τοῖς ἐνιαυτοῖς ὥρας. ἐκάστην δὲ διηρήσθαι εἰς τρία μέρη τῶν φυλῶν, ὅπως γένηται τὰ πάντα δώδεκα μέρη, καθάπερ οἱ μῆνες εἰς τὸν ἐνιαυτόν, καλεῖσθαι δὲ αὐτὰ τριττύς καὶ φρατρίας. εἰς δὲ τὴν φρατρίαν τριάκοντα γένη διακεκοσμήσθαι, καθάπερ αἱ ἡμέραι εἰς τὸν μῆνα, τὸ δὲ γένος εἶναι τριάκοντα ἀνδρῶν.

Harpocration s. v. τριττύς: τριττύς ἐστι τὸ τρίτον μέρος τῆς φυλῆς· αὕτη γάρ διήρηται εἰς τρία μέρη, τριττύς καὶ ἔθνη καὶ φρατρίας, ὡς φησιν Ἀριστοτέλης ἐν τῇ Ἀθηναίων πολιτείᾳ.

348.

Servius ad Vergil. Georg. I. 19, unciique puer monstrator aratri: . . . vel Epimenides (significatur) qui postea Buzygeo dictus est secundum Aristotelem.

Lex. rhet. Seg. p. 221, 8 s. v. Βουζυγία: γένος τι Ἀθηνησιν, ἱερωσύνην τινὰ ἔχον· Βουζυγῆς γάρ τις τῶν ἡρώων πρῶτος βοῦς ζεύξας τὴν γῆν ἥροσε καὶ εἰς γεωργίαν ἐπιτήδειον ἐποίησεν, ἀφ' οὐ γένος καλεῖται Βουζυγία.

349.

See ch. 8 and note on φυλαὶ δ' ἡσαν.

350.

See ch. 7 and note on τιμῆματα.

351.

See ch. 2 and note on πελάται.

352.

See ch. 7 and note on ἀναγράψαντες.

353.

See ch. 8 and note on νόμον ἔθηκε.

Frag. 348. There appears to be no sufficient reason for assigning this quotation to the Ἀθηναίων πολιτείᾳ, unless Aristotle had any occasion to mention the family of Βουζυγία.

354.

Plutarch, Solon 32: ἡ δὲ δὴ διασπορὰ κατακαυθέντος αὐτοῦ (Σόλωνος) τῆς τέφρας περὶ τὴν Σαλαμινίων υῆσον ἔστι μὲν διὰ τὴν ἀτοπίαν ἀπίθανος παντάπασι καὶ μυθώδης, ἀναγέγραπται δ' ὑπὸ τε ἄλλων ἀνδρῶν ἀξιολόγων καὶ Ἀριστοτέλους τοῦ φιλοσόφου.

355.

See ch. 15 and note on τὴν ἐπὶ Παλληνίδι μάχην.

356.

See ch. 19 and note on Λιψύδριον.

357.

See ch. 19 and note on Λιψύδριον.

358.

See ch. 19 and note on ἐνὸς δεῖ πεντήκοντα.

359.

See ch. 21 and note on κατέστησε.

360.

See ch. 23 and note on διὰ τὸ γενέσθαι.

361.

See ch. 23 and note on διὰ τὸ γενέσθαι.

362.

See ch. 30 and note on ἐλληνοταμίας.

363.

See ch. 27 and note on Λακιαδῶν.

Frag. 354. Plutarch does not state that this quotation is from the *Ἀθηναίων πολιτεία*, and it is a story which may have been alluded to in any other work almost as well.

364.

Plutarch, Pericl. 4: 'Αριστοτέλης δὲ παρὰ Πυθοκλείδη μουσικὴν διαπονηθῆναι τὸν ἄνδρα φησὶν (τὸν Περικλέα).

365.

See ch. 27 and note on *συμβουλεύοντος*.

366.

See ch. 25 and note on *συναιτίου*.

367.

See ch. 25 and note on *δι' Ἀριστοδίκου*.

368.

See ch. 28 and note on *περιζωσάμενος*.

369.

See ch. 28 and note on *Νικίας*.

370.

See ch. 34 and note on *ὑπὸ Κλεοφῶντος*.

371.

See ch. 27 and note on *Ἀνύτου*.

372.

See ch. 33 and note on *μῆνας*.

373.

See ch. 34 and note on *Δρακοντίδης*.

374.

See ch. 55 and note on *πρῶτον μέν*.

375.

See ch. 55 and notes on *πρῶτον μέν* and *δμινόνσιν*.

Frag. 364. It is evident that this quotation is out of keeping with the character of the *Ἀθηναίων πολιτεία* and may well have been taken from some other work.

376.

Pollux, III. 17: ὁ δὲ πάπκου ἡ τήθης πατὴρ πρόπαππος· τάχα δ' ἀν τοῦτον εἶποις τριτοπάτορα, ὡς Ἀριστοτέλης.

377.

See ch. 55 and note on *πρὸς τὸν λίθον*.

378.

See ch. 59 and note on *οἱ δὲ θεσμοθέται*.

379.

See ch. 59 and note on *εἰσὶ δὲ καὶ*.

380.

See ch. 59 and note on *τὰ σύμβολα*.

381.

See ch. 56 and notes on *Θαργήλια* and *γραφαῖ*.

382.

See ch. 56 and note on *γραφαῖ*.

383.

See ch. 56 and note on *εἰς δατητῶν αἴρεσιν*.

384.

See ch. 56 and note on *σῖτον*.

385.

See ch. 57 and notes on *Διονυσίων* and *γραφαῖ*.

386.

See ch. 57 and note on *ὁ δὲ βασιλεύς*.

387.

See ch. 58 and note on *ὁ δὲ πολέμαρχος*.

Frag. 376. As the word *τριτοπάτωρ* does not occur in the *θεσμοθετῶν διάκρισις*, to which Rose no doubt imagined it to belong, there is no reason to suppose that it is taken from the *Ἀθηναῖον πολιτεία* at all.

388.

See ch. 58 and note on *αὐτὸς δ' εἰσάγει*.

389.

See ch. 56 and note on *λαμβάνοντι*.

390.

See ch. 61 and note on *στρατηγούς*.

391.

See ch. 61 and note on *ἱππάρχους*.

392.

See ch. 61 and note on *φυλάρχους*.

393.

See ch. 43 and note on *πρυτανεύει*.

394.

See ch. 43 and note on *συνάγουσιν*.

395.

See ch. 43 and notes on *συνάγουσιν* and *προγράφουσιν*.

396.

See ch. 43 and note on *προγράφουσιν*.

397.

See ch. 44 and note on *ἐπιστάτης*.

398.

See ch. 44 and note on *προέδρους*.

399.

See ch. 54 and notes on *γραμματέα* and *ἐπὶ τὸν νόμους*.

400.

See ch. 48 and note on *παραλαβόντες*.

401.

See ch. 47 and note on *πωληταῖ*.

402.

See ch. 47 and note on *παραλαμβάνουσι*, and ch. 61 and note on *ταμίαν τῆς Παράλου*.

403.

See ch. 61 and note on *ταμίαν τῆς Παράλου*.

404.

See ch. 54 and note on *ἱεροποιούς*.

405.

See ch. 48 and note on *εὐθύνους*.

406.

See ch. 54 and note on *λογιστάς*.

407.

See ch. 54 and note on *λογιστάς*.

408.

See ch. 50 and note on *ἀστυνόμοι*.

409.

See ch. 51 and note on *ἀγορανόμοι*.

410.

See ch. 51 and note on *ἐμπορίου ἐπιμελητάς*.

411.

See ch. 51 and note on *σιτοφύλακες*.

412.

See ch. 51 and note on *μετρονόμοι*.

413.

See ch. 53 and note on *τετταράκοντα*.

414.

See ch. 53 and note on *τοῖς διαιτηταῖς*.

415.

See ch. 53 and note on ἔχινους.

416.

Pollux, VIII. 62 : ἔφεσις δέ ἐστιν ὅταν τις ἀπὸ διαιτητῶν ἡ ἀρχόντων ἡ δημοτῶν ἐπὶ δικαστὴν ἔφῆ, ἡ ἀπὸ βουλῆς ἐπὶ δῆμον, ἡ ἀπὸ δήμου ἐπὶ δικαστήριον, ἡ ἀπὸ δικαστῶν ἐπὶ ξενικὸν δικαστήριον ἔφεσμος δ' ὡνομάζετο ἡ δίκη. αὗται δὲ καὶ ἔκκλητοι δίκαια ἐκαλοῦντο. τὸ δὲ παρακαταβαλλόμενον ἐπὶ τῶν ἔφεσων, ὅπερ οἱ νῦν παραβόλιον καλοῦστι, παράβολον Ἀριστοτέλης λέγει.

417.

See ch. 57 and note on τῶν δ' ἀκουσίων.

418.

See ch. 57 and note on τῶν δ' ἀκουσίων.

419.

See ch. 57 and note on ἐπὶ Δελφινίῳ.

420.

See Fragments, col. 32, and note on τοῖς γὰρ δικαστηρίοις.

421.

See ch. 62 and note on τὰ δικαστήρια.

422.

See note on ch. 28, τὴν διωβολίαν.

423.

Harpocration s. v. διαμεμετρημένη ἡμέρα: μέτρον τί ἐστιν ὃδας πρὸς μεμετρημένον ἡμέρας διάστημα ῥέον. ἐμετρεῖτο δὲ

Frag. 416. If this citation is from the Ἀθηναίων πολιτείᾳ, which is in itself probable enough, it presumably comes from the discussion on legal procedure, which is imperfect in the MS.

Frag. 423. This passage no doubt belongs to one of the more mutilated columns containing the description of the procedure in the law-courts.

τῷ Ποσειδεῶνι μηνί. πρὸς δὴ τοῦτο ἡγωνίζοντο οἱ μέγιστοι καὶ περὶ τῶν μεγίστων ἀγῶνες. διενέμετο δὲ εἰς τρία μέρη τὸ ὕδωρ, τὸ μὲν τῷ διώκοντι, τὸ δὲ τῷ φεύγοντι, τὸ δὲ τρίτον τοῖς δικάζοντι. ταῦτα δὲ σαφέστατα αὐτὸν οἱ ρήτορες δεδηλώκασιν . . . Ἀριστοτέλης δ' ἐν τῇ Ἀθηναίων πολιτείᾳ διδάσκει περὶ τούτων.

424.

See Fragments, col. 35, and note.

425.

See Fragments, col. 36, and note on τῶν ψήφων.

426.

See Fragments, col. 36, and note on ἀμφορεῖς.

427.

See ch. 42 and note on διαψηφίζονται.

428.

See ch. 42 and note on ἐκκλησίας.

429.

See ch. 53 and note on δύο δὲ καὶ τετταράκοντα.

430.

See ch. 49 and note on τὸν ἀδυνάτους.

431.

See ch. 56 and note on δεῖ γάρ.

In the latest edition of Rose (1886) two additional passages are cited, viz. :—

413 (1886).

See ch. 3 and notes on φέρσαν and κύριοι δ' ἡσαν.

429 (1886).

See ch. 52 and note on ὁμολογῶσι.

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